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GENERAL HEADINGS.

Cases Reported this Week.

Current Topics.

The Dinner to Chief Justice Taft.

THE DINNER GIVEN to Chief Justice TAFT by the Bench and Bar of England on Wednesday night emphasized in a very agreeable and interesting way the strength of the bond between the United States and this country constituted by community of legal ideas. The exact relation between the systems of law here and there was well described in the Carnegie Foundation Volume on Legal Education which we noticed last October (65 SOL. J. 838). The actual law is, in consequence of varying conditions and varying legislation, becoming more and more diverse, so that it has been said that, so far as concerns its content, Anglo-American Law, as developed in the United States, has pretty well split off from that of England. But the fundamental conceptions remain the same, and distinguish the Anglo-American system from the other systems of the civilized world which have their origin in Roman Law. To the student the same course of study opens out in the United States as here, and the author of the classic work on the Common Law—the work, which is on a level in interest with Sir HENRY MAINE'S Ancient Law—Mr. Justice HOLMES, sits on the Bench of the Supreme Court of the United States. The reception given to Chief Justice TAFT shows how real is the feeling of community between the legal profession there and here, founded generally, no doubt, on the common bond which unites all citizens of the two countries, but in particular, on the fundamental community in legal principles and ideals which prevails over growing differences in the actual law.

The Future of the Law of Property Act.

MR. FOOT, in his interesting speech on the Third Reading of the Law of Property Bill, now the Law of Property Act, 1922, suggested that the measure would be forgotten for the next two years, and that on 1st January, 1925, there would be a rude awakening. We hardly think this will be so, for the passing of the Act is only the first step in the preparation for the change that is to come, and there will be plenty going on in the Legislature

in the next two years to keep lawyers awake. That the Act must be broken up into its constituent parts and re-enacted in a totally different form, has been in effect announced, and is, indeed, obvious. In its present shape it would be quite unworkable. Moreover, it seems very probable that the real criticism of the measure will come in the course of this process. So far as we are aware, nobody except ourselves has attempted a criticism of section 3, on which the practical working of the new system of conveyancing entirely depends, and our own examination of it has been far from complete; and it is the same with the extremely artificial system of mortgages by demise which it is proposed to introduce. The system is on the statute book now, but with its operation postponed for two and a half years, we are by no means sure that it will ever come into actual operation. The alternative of a "charge by way of legal mortgage" has been introduced in this year's measure, but it does not carry us any further. It is simply shorthand for a mortgage by demise, and implies all the artificiality of that system. There will be the opportunity for improving the scheme in these and other respects, and lawyers are not likely to sleep while the discussions which will lead to this improvement, and which, indeed, the Lord Chancellor has invited, are going on. As we have said, the passing of the Act is a first step, but there is much to be done before 1st January, 1925.

The New Conveyancing.

FOR OUR OWN part we have been considering how we can assist in the work of preparing for the change, and we propose, now that the measure has passed, to attempt to deal with it in a more systematic manner than has hitherto been possible. But it will be readily understood that this is a task not to be lightly undertaken. At present we are in the position of a child with a litter of bricks before him, who desires to build, but does not know how. We do not criticise the arrangement of the Act; the wonder is that it is arranged so well, and little matters such as the casual repeal of the Settled Estates Act, 1877, by a section which seems to have nothing particularly to do with it—cl. 71 in the last print of the Bill—are not worth talking about. But still "*disjecta membra*" is a fitting term to apply to the Act in its present form, and out of these scattered parts we hope to build up the new conveyancing. Others will do it better hereafter, but they will have apparatus which is not at present in existence. It will be a work of pioneering and the only available materials are the text of the Act—when the King's Printer manages to produce it—and the printed Memoranda which have been issued with the Bill from time to time. We hope to begin next week.

The Delivery of Particulars.

A VERY INTERESTING discussion as to the Delivery of Particulars, and incidentally as to the utility of the Land Valuation Office, took place in the House of Commons on 28th June, in connection with the proposal of Mr. PRETYMAN, to which we referred last week, to insert in the Finance Bill a clause repealing so much of s. 4 of the Finance Act, 1910, as still remains unrepealed. The Government case is that the particulars are required in order to give the Land Valuation officials practical acquaintance with the current value of land. Otherwise, since at present they have nothing to do with negotiations for the purchase and sale of land on behalf of Government Departments, they would be entirely cut off from practical life, and would have to produce valuations, like a silkworm produces silk, from within. Of course, the answer is obvious, that it is no part of the duty of landowners to provide education for Government valuers, and, indeed, the necessity for this education would, perhaps, disappear if the suggestion is adopted which was made by Sir HOWARD FRANK'S Committee, to whose Report we referred last week; if, that is, the Land Valuation Office is employed to conduct purchases and sales as well as to value. We notice that the efficiency of the office receives high commendation in Parliament. However, at present the Government is quite immovable on the question of Particulars Delivered, and we are sure Sir DONALD MACLEAN will not object to our noticing that he reads "Resurgam" on the tomb of I.V.D., and desires to retain P.D. for that happy day. Mr. FOOT put very strongly the practical objection in the delay of conveyancing, especially in the country, and said that in fact the burden was on solicitors who did not, in the country, make any charge to their clients. Probably the practice in this respect varies.

A Refinement in the Law of Slander.

THE CURIOUS case of *Mycroft* v. *Sleight* (37 T.L.R. 646) indicates a refinement in the law of slander which has hitherto been somewhat overlooked by text-book writers. It is well known that defamatory spoken words, unlike written libels, are not actionable *per se*, but only when there is proof of special damage and where one of four conditions precedent are satisfied, namely, that the words impute either a criminal offence, unchastity in the case of a woman, a contagious disease, or misconduct connected with a man's trade or calling. Now, words may be defamatory and may be seriously injurious to the plaintiff in his calling; yet it does not follow that they are actionable. For they must be spoken "of him in his trade or calling." The case of *Mycroft* v. *Sleight* (*supra*) will make clear how this rather meticulous distinction may arise. Here, the crews (including skippers) of certain trawlers were on strike. At a meeting of their trade union one of the officials accused the plaintiff of going to his employers and asking for a ship. It was held by Mr. Justice MCCARDIE that this allegation was defamatory, since it amounted to a charge of trickery and treachery to his trade union. Also the allegation was obviously calculated to injure him in his trade or calling. But it was *not* spoken of him "concerning his trade or profession," because it did *not* allege against him either incompetence or misconduct in seamanship. It was spoken of him concerning his conduct as a trade unionist, and that is not a trade or calling; the learned judge said that a man's membership of a trade union is not essential to his calling, but only collateral. This is ingenious, but is it right? Suppose a barrister is accused of breaking the rules of his circuit mess. Could one say that his membership of a circuit is only collateral to his profession, and that therefore a defamatory statement as to his conduct in mess is not actionable because it does not concern him as a member of the legal profession? Mr. Justice MCCARDIE certainly has carried subtlety rather a long way in this judgment.

Conversion by Repudiation.

WE NOTICE that the learned editor of the *Cambridge Law Journal* (Vol. I, No. 2, p. 207), gives very weighty reasons for disagreeing with the view taken by the Divisional Court in the intricate and much discussed case of *Nelson Murdoch & Co.* v. *Wood* (*ante*, 36 (6)), on which we commented at the time. He raises some new points of interest. Clearing the case of all complications, the point was this. A firm of piano dealers supplied to one COHEN a piano on a hire-purchase agreement, one of the terms of which enabled the owners to re-take the piano and terminate the hiring upon any breach of the conditions by COHEN, and another term forbade him to part with the custody of the piano. COHEN, having duly paid all instalments at the moment due, sold the piano to the defendant, who *bonâ fide* believed it to be COHEN'S property. Soon afterwards COHEN borrowed the piano from the purchaser and then told him that it was not his own property. The purchaser at once refused to take it, and the contract of sale was mutually rescinded, COHEN promising to repay him the purchase money. Then COHEN sold the piano to a third party and left England without having repaid the defendant the purchase money he had paid. All the instalments of the piano had been duly paid by COHEN to the dealers, and only the final instalment of £12 remained payable at a future date. The dealers claimed that the defendant, the innocent purchaser for value, was guilty of conversion of the piano, but the Divisional Court held that there had been no conversion, on the ground that COHEN'S purported sale of the piano was merely in law an assignment of all his interest in the piano, which he was entitled to

make, notwithstanding his covenant not to part with the custody of it: *Johnstone* v. *Milling* (1861, 16 Q.B.D. 460); *Whiteley* v. *Hilt* (1918, 2 K.B. 808). As a matter of fact, the Court of Appeal has reversed *Nelson Murdoch* v. *Wood* on a technical question of procedure, and has intimated that it is not to be regarded as an authority on the point it purports to decide (*ante*, 367). The learned editor of the *Cambridge Law Journal* points out, very forcibly, that the sale of the piano, accompanied by the parting with possession, was manifestly an essential breach of the hire-purchase contract, and that therefore, under the terms of that contract, the dealers had a right to treat it as at an end as *from the date of the breach*. There seems, therefore, to have been a conversion (albeit innocent) by the defendant's purchase on that date, since any title he had became void *ab initio* upon the owners electing to terminate the hiring.

Restitution of Stolen Chattels.

THE CASE of *Folkes* v. *King* (*ante*, p. 613) adds another to a small but select list of decisions which distinguish between the legal effects of depriving the lawful owner of his property "by a trick" and "by false pretences." If the *modus operandi* of the wrongdoer is "larceny by a trick," then he acquires no colour of title to the property, and a *bonâ fide* purchaser (elsewhere than in market overt) can be dispossessed by the "true owner," but if that *modus operandi* takes the very slightly different form of "obtaining by false pretences," then the wrongdoer acquires a revocable title, and until revocation by due legal proceedings, can convey a good title to a *bonâ fide* purchaser: *Reg.* v. *Russett* (1892, 2 Q.B., 314); *Reg.* v. *Buckmaster* (20, Q.B.D., 182). The ground for this subtlety, which is of the greatest importance in actual practice, is that in the former case the thief deprives the owner of his property against his will, whereas in the latter case the false pretender deprives him of it with his assent, although he obtains that assent by a fraudulent statement or device. If the possession of the money or goods said to have been stolen has been parted with, said Lord COLERIDGE, C.J., in *Reg.* v. *Russett* (*supra*), but the owner did not intend to part with the property to them, so that part of the transaction is incomplete, and the parting with the possession has been obtained by fraud—that is larceny. Unfortunately in two recent cases, *Oppenheimer* v. *Frazer* v. *Wyatt* (1907, 2 K.B. 50), and *Whitehorn Brothers* v. *Davison* (1911, 1 K.B. 46), there appear *dicta* which are irreconcilable with this traditional view and with one another, so that in *Folkes* v. *King* (*supra*) Mr. Justice GREER considered himself at liberty to take the bold course of disregarding them. Here a mercantile agent, by a trick, obtained a car from its owner to sell it under certain conditions. With intent to defraud, he sold the car *dehors* the conditions, and appropriated the proceeds. Mr. Justice GREER held that, notwithstanding the protection accorded to dealings by mercantile agents under s. 2 (1) of the Factors Act, 1889, the agent had obtained the goods "*animo furandi*," and therefore had committed "larceny by a trick" in getting possession of the car. That being so, the *bonâ fide* purchaser lost all protection.

The Koran and the Judicial Committee.

IN Lord HALDANE'S address on the Judicial Committee, to which we referred last week (*ante*, p. 610), he tells an interesting story of the late Lord HALSBURY'S acuteness. Many years ago, while at the Bar, Lord HALDANE was arguing an appeal before the Board over which Lord HALSBURY presided. The point was one of Mahommedan Law; the appeal was from Zanzibar, which in those days was a British possession consisting only of a few square miles leased by the local Sultan to Great Britain; the whole island, of course, is now a British Protectorate. It seems that an enterprising undertaker had constructed a light railway on a portion of the leased territory, without receiving permission from the owners of the soil. The latter claimed that the railway "acceded" to the soil and was theirs in accordance with English Law. The undertaker claimed that Mahommedan Law governed the point, and after a long argument Lord HALDANE, who appeared for him, persuaded the tribunal that this was so. They then asked Lord HALDANE if he had any affidavits as to the Mahommedan Law, but he rightly refused to produce any on the ground that the Mahommedan Law was the Law of the possession and that therefore the Judges must be taken to know it; it was not foreign law to be proved by witnesses. "Your Lordships," he said "are seven Cadis of the Mahommedan religion who are presumed to know the Koran." Six of the law-lords began to argue about this: but Lord HALSBURY said nothing. He quietly sent for a "Koran," and searched it while the argument proceeded. Suddenly, he looked up and said that he had found a passage which seemed quite conclusive on the point, a text to the effect that he who plants a plane-tree on his neighbour's land, if the neighbour claims the tree as his, shall pay compensation. This text, which none of the lawyers or judges had discovered, quite disposed of the case.

The Fall of the Four Courts.

"So then—the Vandals of our isle,
Sworn foes to sense and law,
Have burnt to dust a nobler pile
Than ever Roman saw."

SO COWPER, on the burning of Lord MANSFIELD'S library by the mob in June, 1780. But what would the poet not have said if, in addition, the Gordon rioters had garrisoned themselves in Westminster Hall, had evicted Lord MANSFIELD, Chief Justice DE GREY, and Chief Baron SKYNNER from their Courts: had driven them and their puisnes to adminster justice in the Inns of Court? If Westminster Hall had been reduced to ashes by bombardment from the King's forces? Would he not, gentle soul as he was, have poured out the vials of his wrath on the rebels, and have rejoiced to see their ringleaders' heads exposed on Temple Bar, as, in that more robust age, they would assuredly have been? Yet this, *mutatis mutandis*, is only a small part of what the destruction of the Four Courts means to Dublin, and to all Ireland, North and South. It is really as if our own Law Courts, the Record Office, and the Principal Registry for Wills, had simultaneously perished. No Englishman, certainly no English lawyer, can withhold his indignation at such doings; or deny his heart-whole sympathy to his legal brethren in Ireland—Bench, Bar and Solicitors alike—at the destruction of their great Temple of Justice. Yet it is instructive to observe the equanimity of some Irishmen. Take, for example, the strange case of Mr. T. P. O'CONNOR, M.P. Sitting, as a Nationalist, for an English seat, he has long enjoyed popularity in the House (of which he is "Father"). The lines have fallen to him in pleasant places, even under the hated Union. One would think that his mind and affections were concentrated on his native country, its capital and its chaos. But no! In a weekly *causerie* contributed to a Sunday contemporary, he spreads himself with light airiness over such topics as the ethics of duelling, the unpopularity of the late Sir WILLIAM HARCOURT, and the personal charm of one Sir J. B. ROBINSON, who is understood to have refused a peerage.

What, then, are these Four Courts? They are the ancient Courts of Chancery, King's Bench, Common Pleas, and Exchequer, under which the lives and liberties, the rights and reputations, of Irishmen have always been secure. These tribunals were till a few days ago, housed in a noble Corinthian building situated on the King's Inn Quay, and one of the chief ornaments of the City of Dublin. The building was the work of two eminent Irish architects, THOMAS COOLEY and JAMES GANDON. It was designed in 1776, the foundations were laid in 1786, and it was opened in 1800, just before the Union. Its inception was thus under GRATTAN'S Parliament. And what manner of men were the judges who administered justice within its walls? Let history answer. For present purposes we discard the great

English lawyers who became Chancellors of Ireland under the Union. We dwell rather upon such names as PONSONBY, PLUNKET, BRADY, BLACKBURNE, NAPIER, O'HAGAN, and ASHBOURNE. In the King's Bench we begin with that great magistrate KILWARDEN, who, in the stormy days of the '98, always held up the highest standard of judicial independence. And what was his reward? He was cruelly massacred by ROBERT EMMETT'S pikemen in the streets of Dublin in their abortive rising of 1803. His successors included CHARLES KENDAL BUSHE, PENNEFATHER, LEFROY and WHITESIDE. In the Common Pleas sat Chief Justices DOHERTY and MONAHAN. In the Exchequer the record of Chief Barons is a brilliant one, including AVONMORE, O'GRADY, JOY, WOULFE, PIGOT and CHRISTOPHER PALLES, the last of the Chief Barons, whose decisions are as much valued and respected in England as in Ireland. Among advocates JOHN PHILPOT CURRAN (one almost forgets that he became Master of the Rolls) stands out supreme in an age and in a land famed for forensic eloquence.

The time is not opportune for political or constitutional discussion. Every law-abiding citizen must, for the moment, wish to strengthen the hands of the Provisional Government in Southern Ireland, if and so long as it is sincere in its policy of "thorough" against rebels (in the double sense) of the type of DE VALERA and RORY O'CONNOR. Internecine warfare is still raging in Dublin. Murder, assassination and unspeakable outrage stalk naked and unashamed through the land.

Had the Four Courts fallen by misadventure—as Old St. Paul's did in the Great Fire of London—it would have been possible in the course of years to raise an even more imposing Palace of Justice in its stead to house the Supreme Court for Southern Ireland. Generations yet unborn might have seen the prophecy fulfilled: "The glory of this latter house shall be greater than of the former." Even so, the loss of historic records of priceless interest would have been matter for deep and lasting regret.

But now, no! Any honour which may hereafter attach to the desecrated site will stand rooted in dishonour. The only fitting word to write over it is "Ichabod"—a stern and sad reminder to Irishmen for all time that in the day of trial they proved unworthy of their own great traditions.

W. D. T.

The American Bar Association.

WE noticed last week that Chief Justice TAFT in visiting this country has had the practical object of examining our judicial institution with a view to removing the complications which attend the conduct of litigation in the United States, and we referred to the efforts in this direction that are being made, largely under his influence, by the American Bar Association. With the details of American civil procedure we are not concerned, save by way of comparison with our own system, but it is interesting to see from the Report of the Annual Meeting of the Association last year* that Mr. TAFT attended the meeting of the Judicial Section and selected for an informal address a subject which is always of interest to lawyers—the delays in the administration of justice. "I doubt," he said, "if there is a single element in the causes that render the administration of justice with us inadequate so important as its delays. It is important, of course, that controversies be settled right, but there are many civil questions which arise between individuals in which it is not so important which of the two views of the law should be adopted, as that the law should be settled and the controversy ended." We wonder if the Chief Justice knew that he was repeating the dictum, attributed to Chief Baron WALTER, which Lord NOTTINGHAM (Sir HENEAGE FINCH) commended in *Pitt* v. *Hunt* (1681, 1 Vern. 18): "It is no matter what the law is, so it be known what it is." Delay, Mr. TAFT continued, works always for the man with the longest purse. It works always in favour of the corporation as against the poor litigant.

These remarks led up to an explanation of the Bill which the Attorney-General of the United States had presented to Congress and which had been introduced by the Chairman of the Judiciary Committee of the Senate, to make a substantial addition to the judicial force of the United States. "It is pathetic," said the Chief Justice, "to one who has an intimate knowledge of the administration of justice, and the real reasons of its failure in the lack of proper legislation, to note the life consuming effort of judges to do more work than they possibly can do, in order that the arrears in their dockets may not grow." And the congestion which already existed in many districts, and which had been growing because of the gradual enlargement of the jurisdiction of the Courts under the enactment by Congress of laws which were the exercise of powers that had before been allowed to remain dormant, has been greatly added to by Prohibition—the adoption of the Eighteenth Amendment and the passage of the Volstead law. At the dinner given in his honour at the Middle Temple on Wednesday night, Mr. TAFT referred again to this delay, and commended the greater celerity in the dispatch of business which characterizes the Courts here. Of course our Law suffers from delay, and at some recent periods this has grown to very considerable proportions. Indeed, we have not yet arrived at the condition in which the Courts are always abreast of their work. But apparently our civil procedure, both as regards simplicity and speed, is a good deal in advance of that of the United States.

Comparison is frequently made between the gatherings of the American Bar Association and the work it does, and the absence of any collective legal effort on the same scale in this country. The Report of last year's meeting shows how wide a field the activities of the Association and its numerous committees cover. The proceedings include memorial tributes to eminent lawyers who have died in the closing year—the late Chief Justice EDWARD DOUGLASS WHITE, whose career was described in feeling and eloquent terms by Mr. HAMPTON L. CARSON, of Pennsylvania, and Mr. WILLIAM ALEXANDER BLOUNT, the leader of the Bar of Florida, and the President of the Association, who had died during his year of office: addresses by visitors, who last year included Sir JOHN SIMON and Japanese lawyers, and by distinguished lawyers of the States—Mr. DAVIS, late American Ambassador here, who discoursed on the profession in this country, and the Attorney-General and Solicitor-General, Mr. H. M. DAUGHERTY and Mr. JAMES M. BECK: papers on a wide variety of subjects—such as one of great interest by Mr. LUTHER Z. ROSSER on the Illegal Enforcement of Criminal Law—in other words, lynching: and there are the Reports of numerous Committees—Professional Ethics, International Law, Jurisprudence and Law Reform, Legislative Drafting, Uniform Procedure, Legal Aid, the Law of Aviation, and other matters. The final Report of the Special Committee on Legislative Drafting is a very interesting contribution to the subject—one of great importance in the United States with its continual output of statute law by Congress and the States. The Report should be studied, too, by Parliamentary draftsmen and others interested in the technique of legislation here.

Of course we have in this country the Annual Provincial Meeting of the Law Society, which is the occasion for many useful papers, and it may be that there is no room here for an Association quite on the same lines as the American Bar Association. But it is interesting at a time when the visit of Chief Justice TAFT has called attention to legal institutions in the United States, to note the extensive work which that Association is doing, and not least interesting is the work of the section which deals with Legal Education, over which Mr. ELIHU ROOT presided.

* Report of the Forty-fourth Annual Meeting of the American Bar Association, held at Cincinnati, Ohio, August 31, September 1 and 2, 1921. Charles A. Morrison, New York, N.Y., Official Reporter. Baltimore: the Lord Baltimore Press.

Mr. Albert Augustus Newman has been made an honorary freeman of Newport, Monmouth, on retiring after forty-two years' service as Town Clerk.

Twofold Aspect of the Law of Blasphemy.

Early this year the Home Secretary, replying to a petition for the remission of a sentence of nine months' hard labour, passed on one Gott, at the Central Criminal Court in December (*Rex* v. *Gott*, 16 Cr. App. R. 87), pointed out that blasphemy is both a Common Law and a statutory offence, and intimated that in the latter form the law appears to be obsolete and ought to be repealed. No legislation with the object of effecting this repeal has yet been introduced by the Government; but it may be assumed that in future the Director of Public Prosecutions will act in accordance with the view thus officially expressed, and will not authorise the preferment of indictments charging any accused person with the statutory offence. Since, however, the right to initiate prosecutions is not confined to the Director, it is still possible that some private, and even some official, prosecutor may continue to utilize the obsolete statute, unless and until it is repealed. It is interesting, therefore, to note the difference between the Common Law offence, for which Gott was indicted and convicted, and the statutory offence, now declared obsolete.

As a matter of fact, in reply to the petition just mentioned, the Home Secretary had a written reply sent which states succinctly the difference in question, as he conceived it. "The Common Law does not interfere with the free expression of *bonâ fide* opinion. But it prohibits and renders punishable as a misdemeanour the use of coarse and scurrilous ridicule on subjects which are sacred to most people in this country. Mr. Shortt could not support any proposal for an alteration of the Common Law which would permit such outrages on the feelings of others as those of which Gott was found guilty . . . but . . . the Blasphemy Acts were intended to restrict the freedom of religious opinion or its expression; and Mr. Shortt is of opinion that those Acts may well be repealed. They are already obsolete." This is a clear and correct statement of the distinction as apprehended by many learned jurists of the Victorian age, with the exception of the eminent Sir James Fitzjames Stephen. But later research, deeper and more scholarly in character, has thrown doubt on its adequacy as an interpretation of the evolution of this branch of the law. Indeed, Dr. Courtney Kenny, who has recently retired from the Downing Professorship at Cambridge, has pointed out in the columns of the *Cambridge Law Journal* (Vol. I, p.128), that there are many other considerations to which regard must be had before so simple a conclusion can be sustained. In fact, the contrary view of Sir James Fitzjames Stephen appears now to be established as historically correct. He expressed it in the following terms: "The public importance of the Christian Religion is so great that no one is to be allowed to deny its truth" (Stephen's History of the Criminal Law, II, 475).

Now, to begin with, we are faced with an initial question of great difficulty. It has never been clearly decided how far the Canon Law is part of the Common Law of England. If the Canon Law, the *Regulæ Juris Canonici*, are part of our Common Law, then clearly it is an offence to deny the truth of the Christian religion, no matter how decently and reverently it is denied. And, equally unquestionably, such Canon Law was enforced by the Spiritual Courts until the Reformation. But it is arguable that the Canon Law was so enforced, not because it was part of the Law of England, but because, everywhere in Christendom in the days of Papal supremacy, the Ecclesiastical Courts of the Bishop of Rome had equal jurisdiction with those of the secular surrogate. Such jurisdiction, obviously, ceased at the Reformation. The subsequent exercise of similar jurisdiction by the Courts of Star Chamber and High Commission is not testimony that it was a valid jurisdiction, since the legality of those courts was afterwards denied by Parliament. It is, therefore, necessary to examine the practice of the seventeenth and eighteenth centuries in order to ascertain how far our Courts have accepted the Canon Law as English Law. The answer is inconclusive. There are authorities either way. Among those in favour of the validity of Canon Law is the "Common Law" of Sir Henry Finch, which was the chief manual of English Law in the century before Blackstone. "Holy Scripture is of Sovereign Authority," says Finch (Common Law, I, 3) . . . "To such laws as have warrant in Holy Scripture our law giveth credence." He quotes as his authority Prisot, Chief Justice of the Common Pleas, in 1449, and one of the experts who collaborated to compose Littleton's "Tenures." Prisot made a vague *obiter dictum* to this effect in the case of *Quare Impedit, ex parte Humphry Bohun* (reported Year Book, 34 Henry VI, folio 38), which he decided in 1458; but later research—to which Dr. Kenny has ably contributed—has shown that his *obiter* was not necessary to the point he was there deciding. Against this view comes the definite opinion of Lord Denman, in *Bishop Hampden's Case* (17 L. J., Q.B., at p. 268), who expressed it in these terms: "The Canon Law forms no part of the Common Law of this realm unless practice can be shown to the contrary." This indicates clearly the view now generally accepted. The Canon Law is not, *quâ* Canon Law, part of our Common Law. But where any rules of the Canon Law have been habitually acted on in England, then these are part of the "General Custom of the Realm," and as such are Common Law—just in the same way as any other customs. "It is ancient and inveterate usage within the Realm by the people, and not the authority of the Church and its courts, which gives legal validity to the not inconsiderable part of the Canon Law which we have incorporated."

Once this guiding principle is accepted, it is then necessary to examine the claim to be "ancient and inveterate custom" advanced on behalf of any rule of the Canon Law which is asserted to be English Law. In the case of blasphemy it is essential to turn to the post-Commonwealth decisions and see whether or no they imported into our law the Canonical doctrine which forbade any questioning of the truth of Christianity. The first modern prosecution took place in 1663, that of *Rex* v. *Sir Charles Sedley and others* (15 State Trials, 155). Here the defendants enacted a scene from the Garden of Eden in a state of nudity on a tavern balcony in Covent Garden; they were convicted and fined £500 by Chief Justice Foster. In 1676 Sir Matthew Hale went a step further and declared all blasphemy punishable by the criminal courts of the country: *Rex* v. *Taylor* (1 Ventr. 293; 3 Keble, 607). In this case the defendant Taylor had attacked Christianity orally in terms of "contumelious reproach." Sir Matthew Hale held that: "Contumelious reproaches of God or of the religion established are punishable here (*i.e.*, in a Common Law Court] . . . The Christian Religion is a part of the law itself . . . such kind of wicked blasphemies are . . . a crime against the laws, state, and government, and therefore punishable in this court." The facts here, obviously, are consistent with the view that blasphemy was not punishable at Common Law unless expressed in offensive terms; but the *obiter* of Hale undoubtedly went further, and it became accepted law that "Christianity was parcel of the Law of England." Blackstone's and Stephen's Commentaries both contain this statement. and Lord Sumner recently re-stated it as correct: *Bowman* v. *Secularist Society Lim.* (1917, A.C., at p. 455). That case, however, was not a blasphemy prosecution, and it was decided by the House of Lords that the old Canon Law prohibition of religious endowments for non-Christian purposes is no longer part of the Common Law; it has become obsolete.

Finally, after a great number of prosecutions for Common Law blasphemy had occurred in the years of repression, 1790-1830, during which Hale's *dictum* was relied on as forbidding all criticisim of Christianity in public, the Commission on Criminal Law (Sixth Report, 1841) laid it down as beyond doubt that "the Law distinctly forbids all denial of the Christian Religion," but added that in actual practice "the course has been to withhold the application of the penal law unless insulting language is used." Curiously enough, shortly after this pronouncement had been made, it was decided by Vice-Chancellor Shadwell, in *Briggs* v. *Hartley* (19 L.J. Ch. 416), that an endowment for a prize essay on "Natural Theology" was illegal since it implied the proposition that the Christian Revelation was not necessary to true religion—an extraordinary decision now practically over-ruled by *Bowman* v. *Secularist Society* (*supra*). This was not a criminal prosecution, but the decision was based on a review of the criminal cases and an acceptance of the various *dicta*, just enumerated, therein discovered.

Indeed, it was not until 1882 that the bigoted principle, forbidding all criticism of the Christian Religion, seems to have been doubted by any of our judges. In that year came the celebrated prosecution of Foote and Ramsey before Lord Chief Justice Coleridge, who ruled "If the decencies of controversy are observed, even the fundamentals of religion may be attacked without the attackers being guilty of blasphemous libel." In the actual case, after several successive arguments, Foote was convicted and sentenced; so that the decision carries no legal weight. But the broader spirit of the new age fully approved of the rule laid down, and it became accepted by most text-book authorities on Criminal Law as a correct statement of the rule so far as the Common Law is concerned. Finally, in *Rex* v. *Boulter* (72 J.P. 188), Mr. Justice Phillimore, as he then was, accepted the rule in a criminal case, but in *Bowman's Case* (*supra*), so recently as 1917, the House of Lords affirmed the Coleridge principle. While historically unsound, it may therefore be regarded as a correct statement of the present-day law.

It is unnecessary to discuss at length the statute-law on the subject, which is now regarded as obsolete by the Home Secretary. The chief anti-blasphemy statute is that of 9 & 10 Will. III, c. 32, which makes it a criminal offence:—

(1) to maintain, either in writing or in advised speaking, that there are more Gods than one; and

(2) to deny [in similar manner] the doctrine of the Trinity, or the truth of the Christian Religion, or the divine authority of the Scriptures; provided that the offender had been educated or had professed the Christian Religion.

The provision is obviously intended to protect Jews and Orientals. An earlier statute is that of 1 Edw. VI, c. 1, s. 1, which punishes the use of contemptuous words concerning the Eucharist. Another unrepealed Act, 1 Eliz, c. 2, s. 3, threatens a fine for speaking in derogation of the Prayer Book. These are the three enactments, presumably, which Mr. Shortt considers ought to be repealed, a point of view with which no one who is acquainted with modern literature from "Essays and Reviews" onward is likely to disagree.

Books of the Week.

Legal History.—A History of English Law, in 7 Vols. By W. S. Holdsworth, K.C., D.C.L. Vol. I. 3rd Edition, Re-written. Methuen and Co. Ltd. 25s. net.

Criminal Appeals.—Criminal Appeal Cases. Vol. XVI, pp. 137-163. Part 6—March 27; April 10, 12; May 8, 9, 11, 12, 15, 16, 22; 1922. Edited by Herman Cohen, Barrister-at-Law. Sweet & Maxwell Ltd. 10s. net.

Correspondence.

Mortgagor's Covenants in Mortgages by Sub-Demise.

[*To the Editor of the Solicitors' Journal and Weekly Reporter.*]

Dear Sir,—In most books of Conveyancing Precedents in the Precedent of a Mortgage by Sub-demise, there is no covenant by the Mortgagor to pay the rent and perform the covenants of the Head Lease. It is probably taken that the implied covenants given in s. 7 (1) (d) of the Conveyancing Act, 1881, are applicable. I agree that by the interpretation of the word "Conveyance," *vide* s. 2 (v) and s. 7 (5) s-s. (d), this would appear to be so; but I venture to suggest that that part of the implied covenant which provides for an indemnity of the Mortgagee in the event of non-payment of the head rent, &c., clearly shows that this s-s. (d) was not intended to apply to Mortgages by Sub-demise.

The only alternative reading seems to be that the whole of this s-s. (d) *is* applicable if the Mortgage is by Assignment, but *not* if by Sub-demise; unless indeed a Mortgagee by Sub-demise would be entitled to use the sub-section so far as it is applicable to his case, and leave the rest.

But can he do this? Is not the only reasonable reading of the sub-section that it applies to a Mortgage by Assignment *only*, and leaves a Mortgagee by Sub-demise to take care of himself by full and express covenants.

The new Law of Property Act will not solve this problem (if problem it be) until 1925 (if then) and in the meantime perhaps, Mr. Editor, you would give your views; for which at least one person would be grateful.

B. Bunker.

Hove,
4th July.

[We must defer answering this letter, and also the letter which we printed last week.—Ed. *S.J.*]

CASES OF THE WEEK.

House of Lords.

Re LADY RHONDDA'S PETITION. 27th June.

Peerage—Peeress in her own Right—Claim to sit in Upper Chamber—Petition for Writ of Summons—Sex Disqualification (Removal) Act, 1919 (9 & 10 Geo. 5 c. 71), s. 1.

The Committee for privileges of the House of Lords reported against a petition by a peeress in her own right for the issue to her of a writ of summons to sit in the Upper Chamber of Parliament. On the construction of the Sex Disqualification (Removal) Act, 1919 alone, there was no difficulty in reporting against the petition.

This was a petition by Viscountess Rhondda to receive as a peeress in her own right a writ of summons to Parliament. In March last, the Committee for Privileges reported in favour of her claim, the then Attorney-General offering no opposition, but on 30th March, on the motion of the Lord Chancellor, the report was referred back to the Committee on the ground that the claim raised a question of difficulty and importance which had not been fully argued. At the second hearing in May last, the Committee came to the conclusion by twenty votes to four that Lady Rhondda had failed to establish her claim. By letters patent dated 19th June 1918, the petitioner's father was created first Viscount Rhondda with special remainder in default of male issue to the petitioner and the heirs male of her body, and on the death of the first Viscount in July 1918 without issue male the petitioner succeeded to the title. The petitioner based her claim on s. 1 of the Sex Disqualification (Removal) Act, 1919, which provided that a person should not be disqualified by sex or marriage from the exercise of any public function or from being appointed to or holding any civil or judicial office or post.

The Lord Chancellor, in the course of his speech, said a peerage held by a peeress in her own right was one to which in law the incident of exercising the right to receive a writ was not and never was attached. A right to sit and vote was personal to the holder of a peerage who possessed it. The question was, what right did the common law attach to the peerage in respect of sitting and voting? Was it the right to do so absolutely, or was it the right to do so being a man? In other words, before it could be stated that the female holder of a peerage dignity was entitled *ex debito justitiæ* to the issue of a writ they must determine what was the obligation of justice in respect of such a holder of a peerage dignity. What mattered was the quality and capacity of the holder in the concrete and not the general incidents of a peerage in the abstract. Sex was the quality of the holder for the time being, not of the dignity held. A peeress while in possession had all that the peerage could give. It was her peerage, and it was a peerage to which the law, whether it had been conferred by patent or by writ, had not annexed the right to exercise this public function, she being a woman. In other words a peeress in her own right was not a person who had an incident of peerage, but was disqualified from exercising it by her sex. She was a person who for her life held a dignity which did not include the right of a female to exercise that function at all. Passing to the branch of the case which turned upon the construction of the Act of Parliament, the words of the statute were to be construed so as to ascertain the mind of the Legislature from the natural and grammatical meaning of the words which it had used, and in so construing them the existing state of the law, the mischiefs to be remedied and the defects to be amended, might legitimately be looked at together with the general scheme of the Act. There could be no doubt that whatever the words of the Act meant and whether or not they were taken in their most literal sense and construed so as to remove all possible disqualification, they were words as vague and general as could be found in any Act of Parliament. The point to be determined was whether the Legislature, when dealing with a question of the utmost gravity and effecting a revolutionary change in the privileges of this House and binding His Majesty's prerogative had seen fit to do so by words which could be thus described. It seemed to him impossible to suppose that the Legislature, when endeavouring to confer upon women a privilege which was coupled with a duty, could have used words which were so loose as respects the privileges and so inapt as respects the duty; and this view seemed to be put beyond all argument by the words used with regard to jury service. For these reasons he found no difficulty upon the construction of the statute alone in reporting to the House against the petitioner. It was sufficient to say that the Legislature could not be taken to have departed from the usage of centuries or to have employed such loose and ambiguous words to carry out so momentous a revolution in the constitution of that House, and he was content to base his judgment on that alone. He had, however, in the earlier portion of his speech, dealt fully with the points arising upon the document creating the peerage, and upon the nature of the peerage dignity itself, because they were elaborately argued at the Bar, were of great historical interest, and seemed to him also to be fatal to the petitioner's claim. He wished to make it clear, in expressing this view, that he would hold the same opinion whether Lady Rhondda sat under a patent or under a writ.

The other members of the Committee concurred, with the exception of Lord Haldane and Lord Wrenbury, who dissented.—Counsel: *Talbot*, K.C. and *Greene*, K.C.; *The Attorney-General* (*Sir E. Pollock*, K.C.), *The Solicitor-General* (*Sir Leslie Scott*, K.C.), *Bowstead* and *Geoffrey Ellis*, *Fox-Davies*. Solicitors: *Ingledew, Davies, Sanders & Brown*, for *Ingledew & Sons*, Cardiff; *Henry Cooke*.

[Reported by S. E. Williams, Barrister-at-Law.]

ATTORNEY-GENERAL *v.* WILTS UNITED DAIRIES, LTD. 29th June.

War—Defence of the Realm—Food Controller—*Ultra Vires*—Importing Milk from one Area to Another—Licence—Condition—Charge per Gallon—Levying Tax—Defence of the Realm Regulation, 2F.

The Food Controller prohibited persons dealing in milk from purchasing milk exported from one area to another, except under a licence, and he imposed as a condition of the grant of a licence a charge of twopence per gallon payable to him by the purchaser.

Held, that the charge imposed on the purchaser was a tax which the Controller had no power to levy.

This was an appeal from the Court of Appeal (65 Sol. J. 752) reversing a judgment of Bailhache, J., on an information at the suit of the Attorney-General and raised the question whether imposing a charge was levying a tax. By the information the Attorney-General claimed to recover from the respondents some £15,000 under agreements whereby the respondents, in consideration of the grant to them of certain licences, undertook to pay to the Food Controller 2d. per gallon of milk purchased under such licences. In April and May, 1919, licences to import milk produced in the South-Western Counties of Cornwall, Devon, Dorset and Somerset into the rest of England, and to manufacture milk products within the four

counties, were granted to the respondents in respect of their premises at Trowbridge, Wells, Bridgwater, Frome and Bason Bridge. Each licence was expressed to be subject to the condition that the licensee should pay to the Food Controller in the prescribed manner 2d. per imperial gallon of milk purchased by him under the licence. The respondents contended that the Food Controller had no power, either under the New Ministries and Secretaries Act, 1916, or under the Defence of the Realm Consolidation Act, 1914, and the Regulations thereunder, to levy the charge. Bailhache, J., decided in favour of the Crown, being of opinion that the payments complained of were a necessary part of the scheme prepared by the Food Controller and were therefore not such a tax as required the authority of Parliament. The Court of Appeal on the contrary held that the imposition of the charge of 2d. per gallon as a condition of the licence to trade was *ultra vires* the Food Controller, and was a levying of money for the use of the Crown without a grant of Parliament within the meaning of the Bill of Rights and that the agreements were consequently invalid.

Lord BUCKMASTER said the appeal raised a question of great importance, but none the less it was one that could be readily solved. The Food Controller, purporting to exercise the powers conferred on him by statute, entered into five agreements with the respondents by which the respondents were permitted to purchase milk within a certain defined area on the terms of paying 2d. per gallon for the privilege granted by the licence, and these proceedings were taken to recover the sum represented by the accumulated twopences. The respondents objected that the Food Controller had no power whatever to impose this sum as a condition of granting the licence. The question before the House was not whether the imposition of this charge was a wise or sensible step to take, having regard to the difficulties with which the whole question of the milk supply of the country was surrounded, but was whether the Food Controller had any power to do what he did. The Attorney-General had laid stress upon the difficulties arising from the war and upon the enormous importance of leaving officials free to act immediately under their powers without having their actions perpetually challenged, but that could not give to an official the right to act outside the law, nor could the law be unduly strained to allow him to do what it might be thought reasonable that he should do. In times of war, Parliament should be, and generally was, in continuous session, and if the powers of an official were thought to be inadequate further powers could be readily obtained from Parliament. The only question was, were those powers granted? There were only two possible sources from which the Food Controller could derive his powers. One was the words of the Act of Parliament by which he was appointed; the other was the Defence of the Realm Regulations. Neither of those enactments enabled the Food Controller to levy any sum of money on any of His Majesty's subjects. Drastic powers were given to him in regard to the regulation and control of the food supply, but they did not include the power to levy money which he must receive as part of the national funds. However the character of the transaction might be defined, in the end it remained that people were called upon to pay money to the Controller for the exercise of certain privileges. That imposition could only be properly described as a tax which could not be levied except by direct statutory means. The appeal therefore failed.

Lord ATKINSON, Lord SUMNER, Lord WRENBURY and Lord STERNDALE concurred.—COUNSEL: *The Attorney-General* (Sir Ernest Pollock, K.C.), *the Solicitor-General* (Sir Leslie Scott, K.C.), and *W. Bowstead; Sir John Simon*, K.C., *Neilson*, K.C., and *A. M. Latter*. SOLICITORS: *S. L. MacAndrew; the Solicitor to the Ministry of Food.*

[Reported by S. E. WILLIAMS, Barrister-at-Law.]

Court of Appeal.

TERRELL *v.* **CHATTERTON.** No. 1. 29th June.

LANDLORD AND TENANT—LEASE—COVENANT NOT TO SUB-LET WITHOUT CONSENT—PART OF DEMISED PREMISES SUB-LET WITH CONSENT—REMAINDER SUB-LET SUBSEQUENTLY WITHOUT CONSENT—FORFEITURE.

A covenant by a tenant not to sub-let, assign or part with possession of the lessor's premises without the latter's consent is broken by a tenant who, after sub-letting part of the premises with consent, subsequently sub-lets all the remainder without the consent being obtained. Notwithstanding that the covenant refers to the premises as a whole, and does not specifically prohibit the sub-letting of "any part thereof," the sub-letting of the final portion constitutes a sub-letting of the whole premises, and, as the consent obtained was only in respect of a portion, it is a sub-letting of the whole premises without consent, entitling the lessor to enforce a forfeiture.

Appeal from a decision of Astbury, J.

The appellant, the plaintiff in the action, by an agreement dated 11th March, 1919, let his house to the defendant for five years from 25th March, 1919, at a rent of £135. The agreement contained a covenant by the defendant not to assign, underlet, or part with the possession of the premises without the consent of the plaintiff, the consent not to be unreasonably withheld. There was also a clause that, in the event of such an assignment or sub-letting, the plaintiff might require the assignee or sub-lessee to enter into the covenants of the lease with him direct. On 14th February, 1920, the defendant, with the consent of the plaintiff, sub-let the top floor of the premises for the remainder of the term for £90 a year. In June, 1921, the plaintiff discovered that the defendant, without his knowledge or consent, had afterwards sub-let all the rest of the premises on a yearly tenancy, with the option to the tenant to continue during the remainder of the defendant's term at a rent of £180. The defendant had delivered up possession of the premises to the parties entitled as sub-tenants. The plaintiff brought an action claiming a declaration that the covenant had been broken so as to entitle him to a forfeiture of the lease. He claimed possession of the premises and mesne profits, in so far as they were in excess of the rent paid to him by the defendant, from the date of the breach. The defendant contended that the covenant was not against sub-letting "the whole of the demised premises" nor against sub-letting the premises "or any part thereof." Only a part of the premises had been sub-let without consent, and there had been no breach of the covenant. Astbury, J. upheld the defendant's contention and dismissed the action. The plaintiff appealed. The Court allowed the appeal.

WARRINGTON, L.J. said that he agreed with many authorities upon the point that the covenant in question was one which ought to be construed strictly, and he would assume that the covenant in this case did not include an assignment, underletting, or parting with the possession of a part of the premises only. It might be that if the defendant had sub-let the first part of the premises without obtaining consent there would not have been a breach, so as to cause a forfeiture. But, even looking at the agreement in that light, it seemed that in the present case the covenant had been broken. The tenant had underlet the whole of the demised premises. It was true that she had done it by separate steps, but the ultimate result was that she had sub-let and parted with the possession of the whole of the premises, clearly without the permission of the plaintiff. No authority cited prevented the Court from giving to a covenant such as the covenant here the effect which in his view should be given to it. That was the only reasonable construction. The whole object of the covenant was that the premises as a whole should not be sub-let unless the plaintiff consented. He had not done so, nor had the chance to do so, and there had therefore been a breach which entitled the plaintiff to say that there was a forfeiture.

YOUNGER, L.J., delivered judgment to the same effect and EVE, J., concurred. COUNSEL: *Hewitt*, K.C., and *Bovill*; *Micklem*, K.C., *Edgar Dale* and *Everard Dickson*. SOLICITORS: *Douglas W. Money*; *C. E. Vaughan Williams*.

[Reported by G. T. WHITFIELD-HAYES, Barrister-at-Law.]

High Court.—Chancery Division.

In re **FENWICK; LLOYDS BANK, LIMITED** *v.* **FENWICK.**
Sargant, J. 21st June.

WILL—CONSTRUCTION—FUND FOR PAYMENT OF ALL DUTIES TO WHICH ESTATE "SHALL BE LIABLE"—RESIDUE OF FUND DISPOSED OF—TENANT FOR LIFE—DEATH OF—ESTATE DUTY—FINANCE ACT, 1914 (4 & 5 Geo. 5, c. 10), s. 14.

Estate duty is not payable by executors and is entirely outside the dispositions of the testator's will.

In re Wedgwood (1921, 1 Ch. 601) *applied.*

The court will lean towards a workable construction of a will rather than a construction imposing a heavy burden.

The provision by a testator of a special fund for payment of all duties to which the estate "shall be liable" prima facie only contemplates duties presently payable at the date of the testator's death, and not at any subsequent time.

In re Snape (1915, 2 Ch. 179) *applied.*

This was a summons asking the question whether certain duties which would become payable after the testator's death were to be paid, when they became payable, out of a fund for payment of all duties to which his estate "shall be liable." The facts were as follows: The testator appointed Lloyds Bank to be his executor and trustee, and gave various legacies and bequests free of all duties. He bequeathed all his shares in Lloyds Bank (except 2,000 shares bequeathed with his residuary estate) to the bank "upon trust to sell so many of such shares as shall be sufficient to pay all my debts and funeral and testamentary expenses and the legacies of £500 each to my two daughters and all duties of every description (including settlement estate duty where payable) to which my estate both real and personal or any part thereof shall be liable, and subject to such payments in trust for my said son Gerard Fenwick absolutely." He bequeathed the 2,000 shares in Lloyds Bank and all other his real and personal estate not otherwise disposed of upon trust to pay the income thereof to his wife for her life, and from and after her death as to one moiety in trust for one of his daughters for her life with remainder to her children, and as to the other moiety upon trust for his other daughter for her life with remainder to her children, with cross remainders over between them. In 1912 the testator died and the plaintiffs having paid his debts transferred certain shares in Lloyds Bank to Gerard Fenwick on account of the bequest to him, and retained sufficient shares for payment of future duties as the law then stood, but these shares were not sufficient to meet the estate duty which became payable under the Finance Act, 1914, on the respective deaths of his daughters. In 1920 the widow released certain life interests in favour of her son, and the plaintiffs had on their hands certain funds resulting therefrom in trust for Gerard Fenwick, but they did not know whether they ought to transfer them to him or retain them until all future duties had been paid or provided for. One of the testator's daughters had

three children and the other had none. It was contended on behalf of the testator's daughters and the infant children that the provision of the special fund for payment of all duties and the use by the testator of the words "shall be liable" showed that the testator intended to provide for all duties whenever payable. For the son it was contended that the will as a whole showed that the testator only intended to provide for the duties presently payable.

SARGANT, J., after stating the facts, said: The words "shall be liable" are compatible either with the direction of the testator's mind to the time of his death, or to the time of his death and any subsequent time, and the question of which of those meanings is to be applied to the words is a question of construction. The testator has shown a deliberate intention to free his property from duties generally, but that does not necessarily mean that he freed the successive interests in a particular property from duties. The words of clause 7 appear to be more consistent with one definite immediate process than with a succession of processes There is very great force in what was said by Warrington, L.J., in *In re Wedgwood (supra)*, where he called attention to the fact that estate duty was not payable by the executors, and was entirely outside the dispositions of the testator's will. Although each will has to be construed by its own particular language, still if the result of one construction is to impose a very heavy burden, and one that is difficult of calculation, and the other construction is to result in something workable, in case of there being nothing to choose between the two, the court will lean towards the second construction rather than the first. The result is that in practice, although not in theory, the court inclines to the view taken by Eve, J., in *In re Snape (supra)*. On the whole I come to the conclusion that what the testator contemplated by clause 7 was an immediate process under which these shares were to be sold and applied in paying duties which were presently payable, and under which, after those duties had been paid, the residue of the shares or the proceeds were to be handed over to the testator's son, Gerard Fenwick.—COUNSEL: *E. Beaumont; H. A. Hind; Alexander Grant*, K.C., and *Church; Galbraith*, K.C., and *Gavin Simonds*. SOLICITORS: *Walfords; Stuart & Tull.*

[Reported by L. M. MAY, Barrister-at-Law.]

CASES OF LAST SITTINGS.

Court of Appeal.

HARRISON *v.* WYTHEMOOR COLLIERY CO. LTD.

No. 1. 24th and 27th March; 25th May.

WORKMEN'S COMPENSATION—ACCIDENT CAUSING DEATH—ACTION FOR DAMAGES BY WIDOW—FAILURE OF ACTION—COMPENSATION ASSESSED—CERTIFICATE—RIGHT OF APPEAL—"DETERMINED IN SUCH ACTION"—WORKMEN'S COMPENSATION ACT, 1906 (6 & 7 Edw. 7, c. 58), s. 1 (2) (*b*), (4).

The widow of a workman employed in a coal mine brought an action under the Fatal Accidents Acts for damages for the death of her husband, as having been caused by a breach of a statutory regulation under the Coal Mines Act, 1911. The action failed, and counsel for the plaintiff then asked for an assessment and award of compensation under the Workmen's Compensation Act, 1906, s. 1 (4), and that it should be made without prejudice to the plaintiff's right of appeal in the action. Branson, J., made an award of full compensation, less the costs of the unsuccessful action, and was understood to make it "without prejudice" to the plaintiff's right of appeal, although these words did not appear in the order. On appeal,

Held, that the decision of the learned judge dismissing the action was right on the facts, and that the award of compensation put an end to the plaintiff's right of appeal in the action. The expression "determined in such action," means "determined" by the court of first instance in which action is tried, and there is no jurisdiction to give a certificate of an award of compensation "without prejudice" to an appeal.

Neale *v.* Electric & Ordnance Accessories Co. Ltd. (1906, 2 K.B. 558) *applied.*

Isaacson *v.* New Grand (Clapham Junction) Ltd. (1903, 1 K.B. 539) *over-ruled.*

Appeal by the plaintiff from a decision of Branson, J., at Carlisle Assizes, in an action under the Fatal Accidents Acts. The plaintiff's husband was a fireman in the defendant's colliery, and it was one of his duties to obtain coal from a coal wagon on a siding, and load it into tubs on a light railway line which ran to the engine-house. He was moving a wagon along the line by pushing it with his hand on the buffer, instead of using a lever under the wheels, and while so doing a wagon which had been set in motion by shunting operations, a short distance away, struck the wagon he was moving and crushed his hand, causing injuries which led to his death from blood poisoning. The plaintiff founded her action on a breach of statutory regulation 163, under the Coal Mines Act, 1911, which is as follows:—"No locomotive or wagon shall be moved along a line of rails until warning has been given by the person in charge to persons employed, whose safety is likely to be endangered." The evidence was that no warning was given by the engine driver shunting, but that he could not have seen Harrison, and there was no reason for him to suppose that either Harrison's or any other person's safety would be endangered. Branson, J., held that on the facts there had been no breach of regulation 163, and dismissed the action. The plaintiff then, by her counsel, applied for an award of compensation under s. 1 (4) of the Workmen's Compensation Act, 1906, and asked that it should be made "without prejudice" to her right of appeal. The learned judge awarded £250 being £300 less the costs of the action, and the plaintiff appealed. *Cur. adv. vult.*

The Court dismissed the appeal.

Lord STERNDALE, M.R., said that in his opinion the regulation pointed to the intention that there must be something to indicate to the person in charge that if he exercised reasonable care and skill some person's safety was likely to be endangered unless he gave warning before the trucks were set in motion. Branson, J.'s decision on this point was right, there being evidence to support his finding. That was enough to dispose of the case, but another objection which raised a very difficult point of general importance had been taken by the respondents, and the court ought to deal with it. [His lordship then stated the facts as to the plaintiff's application for an award and proceeded.] By the Workmen's Compensation Act, 1906, s. 1, s-s. (2), a workman might, where negligence by the employer was alleged, either bring an action for damages or claim compensation, but he could not pursue both remedies at the same time, and if he failed in one, fall back on the other. But by s-s. (4) it was provided as follows: "If within the time hereinafter in this Act limited for taking proceedings, an action is brought to recover damages independently of this Act for injury caused by any accident, and it is determined in such action that the injury is one for which the employer is not liable in such action, but that he would have been liable to pay compensation under the provisions of this Act, the action shall be dismissed; but the court in which the action is tried shall, if the plaintiff so choose, proceed to assess such compensation, but may deduct from such compensation all or part of the costs which in its judgment have been caused by the plaintiff bringing the action instead of proceeding under this Act. In any proceeding under this section when the court assesses the compensation, it shall give a certificate of the compensation it has awarded and the directions it has given as to the deduction for costs, and such certificate shall have the force and effect of an award under this Act." The appellant contended that the words "determined in such action" meant "finally determined," and that the workman could ask for an assessment of compensation under the Workmen's Compensation Act, up to the final determination of the ultimate Court of Appeal, and some support for the contention was to be found in *Greenwood* v. *Greenwood* (97 L.T. 771), but in his lordship's opinion that was not a sound construction of the section. It must refer to the court of first instance in which the action was tried. No doubt such a construction might lead to difficulties, particularly in a case where a decision in the workman's favour was reversed on appeal, but the plain words of the section could not be strained to avoid difficulties. A workman who took proceedings under the Employers' Liability Act, 1880, and failed, could not afterwards proceed under the Workmen's Compensation Act (*Edwards* v. *Godfrey*, 1899, 2 Q.B. 333, a decision under the earlier Act), and a workman who had brought a common law action and failed, and then applied for compensation under s-s. (4) could not appeal against the judgment in the common law action: *Neale* v. *Electric and Ordnance Accessories Company Ltd.* (1906, 2 K.B. 558), and *Cribb* v. *Kynoch Ltd.* (1908, 2 K.B. 551). Those cases showed that the workman was entitled to claim against his employer by one procedure and one only, and if he availed himself of the provisions of s-s. (4) he could no longer pursue his alternative remedy of appealing in the common law action. That, no doubt, was opposed to the Irish case of *Beckley* v. *Scott* (1902, 2 I.R.R. 504), and the English cases of *Isaacson* v. *New Grand (Clapham Junction) Ltd.* (1903, 1 K.B. 539), and *Rouse* v. *Dixon* (1904, 2 K.B. 628), but in spite of those cases, he (his lordship) felt bound by the decisions he had mentioned. The learned judge had said and intended that the certificate he had given should not prejudice the plaintiff's right of appeal in the action, but with great respect to him, he had no jurisdiction to say so. The certificate necessarily prejudiced the plaintiff's right of appeal by preventing her from pursuing it, and if at the choice of the plaintiff the learned judge did something which, according to the statute and the Court of Appeal, did prejudice that right, he could not say it should not do so. The course might have been fair and convenient to both parties, but that was not the question for the court to decide. The learned judge acted within his jurisdiction in assessing compensation, and giving a certificate under s-s. (4), but he exceeded his jurisdiction in attaching to his decision the condition that it should not prejudice the right of appeal. The appeal must therefore be dismissed with costs.

WARRINGTON, L.J., and SCRUTTON, L.J., delivered judgment to the same effect, the latter observing that he could not understand what a judgment "without prejudice" was. COUNSEL: *Langdon*, K.C., and *T. Eastham*, K.C.; *Greaves-Lord*, K.C., and *W. Procter*. SOLICITORS: *W. C. Crocker*, for *Wood, Lord & Sumner*, Whitehaven; *Blyth, Dutton & Co.*, for *Chapman and Baxter*, Whitehaven.

[Reported by H. LANGFORD LEWIS, Barrister-at-Law.]

Mr. Humphrey W. Wightwick, a barrister of the South-Eastern Circuit, received very serious injury while motor-cycling from Maidstone to his home at Canterbury last Saturday. He was found lying unconscious in the road at Dane Street, near Chilham. The back tyre of his motor-cycle had burst. Mr. Wightwick was conveyed to the hospital at Canterbury, where it was found he had a fracture of the skull and injury to one of his legs. He was reported to have partially recovered consciousness.

A and B TAXIS LIMITED *v.* THE SECRETARY OF STATE FOR AIR. No. 2. 10th and 11th May.

WAR—DEFENCE OF THE REALM—REQUISITION OF BUSINESS PREMISES—COMPENSATION—BASIS OF ASSESSMENT—SUBSTITUTED PREMISES—COST OF REMOVAL AND RE-INSTATEMENT—DIRECT LOSS—APPEAL ON POINT OF LAW—INDEMNITY ACT, 1920 (10 and 11 Geo. 5 c. 48) s. 2.

In 1918 the Government requisitioned the claimants' business premises for the Air Force, and the claimants were compelled to seek other accommodation for their business. They purchased other premises, and adapted and equipped them for their business requirements. In order to complete them as soon as possible, so as to cause as little interruption as possible to their business, they spent large sums in extra wages and overtime. Subsequently, their original premises were restored to them and the question arose as to the basis of compensation. The Indemnity Act, 1920, gave a right of appeal from the decision of the War Compensation Court to the Court of Appeal on a point of law. The claimants appealed to the Court of Appeal against an award of the War Compensation Court on the ground that the War Compensation Court were erroneous in deciding that certain items of actual loss did not constitute direct loss or damage by reason of interference with the business of the claimants within the meaning of s. 2, s-s. (1) (b) of the Indemnity Act, 1920.

Held, (1) *that the point raised by the claimants was a point of law giving them a right of appeal to the Court of Appeal, and* (2) *that the claimants were entitled to have the compensation assessed on a basis which included the cost of reinstatement, and they were therefore entitled to the amount of their actual loss.*

Appeal from an award of the War Compensation Court. The appellants, who were a Dublin firm, carrying on business as motor car and garage proprietors, with a fleet of taxicabs for hire, occupied premises known as the Portobello Garage, Dublin. These premises were entirely suitable and well fitted for the purposes of the appellants' business, both from the point of view of their condition and arrangements as well as from the point of view of locality. In September, 1918, the appellants' premises, the Portobello Garage, were requisitioned by the Government for the Air Force and the appellants then decided to seek premises elsewhere rather than to close down their business altogether, and then claim in respect of a total loss. There was no other place in Dublin suitable to their business and to which they could remove their business, so that the only thing that they could do was to buy premises and to adapt them for the purposes of their business. Accordingly, they bought a site with premises thereon, shortly after they were dispossessed from their old premises. They then proceeded to equip these new premises, and as they were anxious to complete them as soon as possible, so as to suffer the least possible interruption in their business, they had to pay heavy wages for overtime, and they had to pay large sums of money for equipment. Their business was accordingly carried on at the new premises as far as possible under existing conditions and was neither suspended nor destroyed. In December, 1919, the claimants received a notice that the Air Force intended to give up the Portobello Garage, and it was agreed for the purposes of compensation that the notice was to be treated as if the premises had been vacated in March, 1920. By s. 2, s-s. (1) (*b*) of the Indemnity Act, 1920, a right to compensation is given for acts done in pursuance of prerogative and other powers to any person (not being a subject of a state at war with His Majesty) who has incurred or sustained any direct loss or damage by reason of interference with his property or business in the United Kingdom through the exercise or purported exercise, during the war, of any prerogative right of His Majesty or of any power under any enactment relating to the defence of the realm. The appellants claimed compensation based on the cost of removal to substituted premises and the cost of reinstatement and rent of the premises. Their claim amounted to about £14,000. The War Compensation Court awarded them £3,484 and 100 guineas costs in full satisfaction of their claims. The claimants appealed on the ground that the War Compensation Court were wrong in law in deciding that the several items of actual loss did not constitute direct loss or damage by reason of interference with the property and business of the claimants within the meaning of the Indemnity Act, 1920, and they contended that they were entitled to the amount of their actual loss. Draft rules were issued in May, 1921, which enabled this appeal, which was an Irish appeal from the decision of the War Compensation Court, to be brought to the English Court of Appeal. A preliminary objection was taken that the notice of appeal was too general and did not raise a point of law as required by the Act, which only permitted an appeal on a question of law.

BANKES, L.J., in giving judgment allowing the appeal, said that it appeared that the claimants' case had reference to a question of law, and therefore the appeal lay. The claimants, in order to succeed, must make out a case of "direct loss or damage" within the meaning of s. 2 of the Indemnity Act, 1920, and the question to be decided was as to the construction of those words. In *Weld-Blundell* v. *Stephens* (64 SOL. J. 529; 1920, A.C. 956, at p. 983), Lord Sumner said: "I still venture to think that direct cause is the best expression . . . Direct cause excludes what is indirect, conveys the essential distinction which *causa causans* and *causa sine qua non* rather cumbrously indicate, and is consistent with the possibility of the concurrence of more direct causes than one, operating at the same time and leading to a common result." Whether that principle, which was well recognised in compensation law, applied, must depend on the facts of each particular case, and the material points to consider included the nature of the business and the time during which the business was suspended. They must also consider whether on the facts it was reasonable not to close down the business altogether, but to reinstate it somewhere else and take new premises and incur expense in adapting and equipping them. The claimants in this case had made out a reasonable case for the reinstatement of their business in the substituted premises, and it was not suggested that they had acted unreasonably. The contention of the Crown was that all that the appellants were entitled to by way of compensation was the rent of the Portobello premises, together with the cost of removal to and from the substituted premises. The tribunal had excluded the expenses of reinstatement of the business in the substituted premises as not constituting direct loss. In so deciding, the tribunal went wrong in law, and the case must be remitted to them to assess the compensation on the basis of the actual loss, and to include the cost of reinstatement of the business.

SCRUTTON, L.J., and ATKIN, L.J., concurred. Appeal allowed.—COUNSEL: *Serjeant Sullivan*, K.C., *James Lardner*, K.C. (of the Irish Bar), and *Maurice Healy*, for the claimants; *Sir Leslie Scott*, S.-G., and *Giveen*, for the Crown. SOLICITORS: *Walters & Co.*, agents for *Franks & Dalton*, Dublin; *Treasury Solicitor.*

[Reported by T. W. MORGAN, Barrister-at-Law.]

High Court—King's Bench Division.

EHINGER *v.* SOUTH EASTERN & CHATHAM RAILWAY CO. AND ANOTHER. Salter, J. 10th, 11th May.

CARRIER—PASSENGER'S LUGGAGE—RAILWAY COMPANY AND PULLMAN CAR COMPANY—LOSS IN PULLMAN CAR—NEGLIGENCE—LIABILITY.

A passenger from Paris to London took a ticket on board the steamer entitling her to a seat in a Pullman Car on the train from Dover to London. Attention was drawn on the ticket to a condition printed thereon, to the effect that the Pullman Car Company (which was distinct from the railway company) would not be responsible for articles which passengers might have with them in the Pullman Car. The passenger, against her will, allowed a suit case, which she wished to retain, to be placed in a vestibule of the Pullman Car at Dover. On arrival at Victoria Station it was missing.

Held, that she was entitled to recover damages from the railway company, but that the Pullman Car Company were not liable in respect of the loss.

Witness action. The plaintiff, Mrs. M. Ehinger, was travelling, in May, 1921, from Paris to London. Having bought a Pullman Car ticket on the steamer, she proceeded, on arrival at Dover, to take the seat reserved for her in the Pullman Car. The train consisted partly of ordinary carriages and partly of Pullman Cars. The latter were the property of a separate company, the Pullman Car Co. Limited. The plaintiff, on entering the train, was anxious to retain a suit case containing valuables, but was not allowed to do so, on account of its size, and it was placed in one of the vestibules of the Pullman Car with other luggage. On her arrival at Victoria the suit case was missing, and there was no doubt that it had been stolen. The plaintiff commenced this action against the railway company and the Pullman Car Company for damages in respect of the loss of the suit case, and the question to be determined was as to the liability of the respective companies for the loss.

SALTER, J., in the course of his judgment, dealt first with the liability of the railway company, and said that the duty of the railway company, after the suit case had been handed to their servant at Dover, was to carry it to Victoria and there to deliver it to the plaintiff, and that it rested with the company to show such conduct on the part of the plaintiff as would exonerate them from their full liability. The question of exoneration from full liability was discussed in *G.W. Railway Co.* v. *Bunch* (13 App. Cas. 31). In the present case the plaintiff had elected to travel in the Pullman Car instead of in one of the ordinary cars, as she was entitled to do, and her conduct, in so electing, was not, in his Lordship's view, in any way contributory to the loss of the suit case. There was no evidence that, in causing the suit case to be placed in the Pullman Car, she withdrew it from the custody of the railway company so as to discharge them from any obligation in respect of it. The railway company had not, in his Lordship's view, exonerated themselves from liability as a common carrier in respect of the suit case, and the plaintiff was therefore entitled to succeed against them. With regard to the Pullman Car Company, there was no contract of carriage between her and that company. The ticket which she had obtained for her seat in the car bore the words "See conditions at back," and on the back were the following words: "The Pullman Car Company, Limited, hereby give notice that they decline to accept responsibility for articles of luggage which passengers may take with them into the Pullman Cars . . ." Having regard to the authorities, *Parker* v. *South Eastern Railway Co.* (2 C.P.D. 416), and *Marriott* v. *Yeoward Brothers* (1909, 2 K.B. 987), the plaintiff must be taken to have known the conditions printed on the back of the ticket and to have been bound by them. There appeared to be no evidence of negligence on the part of the Pullman Car Company, and the plaintiff could not succeed against them.—COUNSEL: *Holman Gregory*, K.C., and *S. Duncan*; *G. Thorn Drury*, K.C., and *Ince*; *Lewis Thomas*, K.C., and *Robertson*. SOLICITORS: *Adam Burn & Son*; *H. H. Groves*; *Ashurst, Morris, Crisp & Co.*

[Reported by J. L. DENISON, Barrister-at-Law.]

In Parliament.

House of Commons.

Questions.

RENT RESTRICTIONS ACT.

Sir WALTER DE FRECE (Ashton-under-Lyne) asked the Minister of Health if he will consider the desirability of calling a conference representative of both landlords and tenants to consider an agreed-on policy at the expiration of the Rent Restrictions Act, it being understood that the Government would give such policy the force of law?

Sir A. MOND: I am afraid that it would be difficult to convene such a conference, and that even if it were convened it would not be likely to arrive at any agreement, but if my hon. Friend can make any suggestions for arriving at the desired result I shall be happy to consider them. (28th June).

LEGITIMATION BY MARRIAGE.

Captain BOWYER (Bucks) asked the Home Secretary whether he will name a date for the promised introduction of the Bill dealing with legitimation by subsequent marriage?

Mr. SHORTT: I regret I am not yet in a position to give a date, but I hope the Bill will not be long delayed.

RENT RESTRICTIONS ACTS.

Mr. JOHN (Rhondda, West) asked the Minister of Health whether he is aware that the change in economic conditions which has come about since the percentage increase of rent was fixed under the Rent Restrictions Acts have greatly increased the financial difficulties of the middle and working classes; and whether he will immediately introduce legislation for the purpose of materially reducing the percentage by which rents can be increased over those of pre-war?

Sir A. MOND: I will consider the point raised by the hon. Member, but I cannot give any undertaking as to the introduction of legislation. (29th June.)

RENT RESTRICTIONS ACT.

Colonel NEWMAN (Finchley) asked the Prime Minister whether he is aware of the grave dissatisfaction felt by both owners of house property and tenants at the unsatisfactory working of and needless litigation caused by the Rent Restrictions Act; and whether, in view of the fact that the Act lapses in the first half of the next year and that owners are already giving their tenants notice to quit, he will definitely say that a Commission will be appointed to review the working of the Act and report before Parliament meets for the next Session?

The MINISTER OF HEALTH (Sir Alfred Mond): I have been asked to reply to this question. Considering the complexity of the matter, the Act to which the hon. and gallant Member refers has, on the whole, I think, worked well. The question whether a further inquiry shall be instituted, particularly as to the renewal of the Act, with any necessary modifications, is now being considered.

Colonel NEWMAN: I have asked this question several times before and I have been unable to get information. When, as a matter of fact, will a decision be reached? Will it be reached before the House adjourns, say, in the middle of August?

Sir A. MOND: I hope so.

Sir J. BUTCHER (York): Is the right hon. Gentleman aware that the County Court judges, before whom the administration of this Act has had to be conducted, have expressed the gravest dissatisfaction with the terms of the Act, which have caused great difficulty and litigation?

Sir A. MOND: That is the case with a great many Acts.

DEATH SENTENCE (A. L. CROCKFORD).

Mr. ALFRED T. DAVIES (Lincoln) asked the Secretary of State for the Home Department whether his attention has been directed to the sentence of death passed on Archibald Lionel Crockford, aged 20 years, at the Old Bailey for murdering his five-months-old baby, after he had been out of work for 12 months; whether he is aware that it was submitted by counsel that he was in a state of semi-starvation and that his mind was unhinged at the time of the murder through worry; and whether, seeing that he was recommended to mercy by the jury, his case can be reviewed and a decision made without delay?

Sir J. BAIRD: My right hon. Friend must decline to answer any question as to the advice which it may be his duty to give to His Majesty in capital cases. I may point out, however, that it is open to a prisoner within 10 days of his conviction to apply to the Court of Criminal Appeal for leave to appeal, and that my right hon. Friend cannot come to any decision in a case of this kind until that period has expired.

INCOME TAX REPAYMENTS (FRAUD).

Sir W. JOYNSON-HICKS (Twickenham) asked the Chancellor of the Exchequer whether he is aware that large sums of money are sent to persons on claims for return of Income Tax by money order accompanied by sufficient information to enable them to be fraudulently cashed; and whether he is prepared to pay such money by cheque or money order at the option of the recipient?

Sir R. HORNE: The question of the most appropriate means of preventing frauds in connection with repayments of Income Tax is at present under consideration. (3rd July.)

LEGITIMATION BILL.

Mr. N. CHAMBERLAIN (Birmingham, Ladywood) asked the Home Secretary when it is proposed to introduce the Bill dealing with the legitimation of children by the subsequent marriage of their parents?

Sir J. BAIRD: My right hon. Friend stated in reply to a question last Thursday that he regretted he was not yet in a position to give a date, but he hoped the Bill would not be long delayed.

Mr. N. CHAMBERLAIN: Does the Home Secretary not realise that the long delay in bringing forward this Bill is giving rise to very grave doubts among persons interested as to whether the Government really mean business? Can the hon. Gentleman give a definite assurance that the Government do mean to proceed with the Bill this Session?

Sir J. BAIRD: My right hon. Friend quite appreciates that, and we are endeavouring to come to an arrangement to introduce a Bill as soon as we can. There will be no avoidable delay. (4th July.)

Bills Presented.

Sale of Bread Bill—"to provide for the better protection of the public in relation to the sale of bread": Mr. Baldwin. [Bill 165].

British Empire Exhibition (Amendment) Bill—"to remove doubts as to the powers of the Board of Trade under the British Empire Exhibition (Guarantee) Act, 1920": Mr. Baldwin. [Bill 166].

Pharmacy Bill—"to regularise the position of all persons trading as chemists and druggists or pharmacy store proprietors in the sale of drugs, the dispensing of doctors' prescriptions, and the sale of patent medicines": Captain O'Grady. [Bill 167]. (28th June.)

Societies.

The Dinner to Chief Justice Taft.

Mr. Taft, Chief Justice of the United States, was entertained at the Middle Temple Hall on Wednesday night by the Bench and Bar of England. The Lord Chancellor (Viscount Birkenhead) was in the chair, and he had Mr. Taft on his right and the American Ambassador on his left.

Among those present were the Lord Chief Justice (Lord Hewart), Viscount Haldane, the Earl of Desart, Viscount Cave, Lord Carson, Lord Shaw, Lord Trevethin, Lord Parmoor; Sir Henry Duke, P., Lord Sterndale, M.R., Lord Justices Bankes, Warrington, Scrutton, Younger, and Atkin; Mr. Justice Eve, Mr. Justice Sargant, Mr. Justice Astbury, Mr. Justice P. O. Lawrence, and Mr. Justice Romer; Mr. Justice Hill, Mr. Justice Darling, Mr. Justice Coleridge, Mr. Justice Avory, Mr. Justice Sankey, Mr. Justice Salter, Mr. Justice Roche, and Mr. Justice Swift; Judges Snagge, Sir A. Tobin, Parfitt, Harrington, Parry, Bairstow, Barnard Lailey, K.C., Sir T. C. Granger, and Herbert Tebbs; the Official Referees, Mr. Edward Pollock, Sir Francis Newbolt; Masters of the Supreme Court—Sir T. Willes Chitty, Mr. G. A. Bonner, and Mr. Valentine Ball. The King's Counsel present included Sir John A. Simon, Mr. T. R. Hughes (Chairman of the Bar Council), Mr. Douglas M. Hogg, Sir E. Hume-Williams, Mr. A. D. Bateson, Sir W. Ryland Adkins, Mr. F. T. Barrington-Ward, Mr. Alex. MacMorran, Mr. J. A. Hawke, Sir R. B. D. Acland, Mr. F. D. Mackinnon, Sir Malcolm M. Macnaghten, M.P., Mr. F. P. M. Schiller, Sir Forrest Fulton (Treasurer of the Middle Temple), Mr. R. A. Wright, Mr. Edward A. Mitchell-Innes, Sir Arthur H. Colefax, Mr. J. G. Matthews, Mr. G. Thorn Drury, Mr. Ward Coldridge, Sir F. Gore-Browne, Mr. Ernest Charles, Mr. John M. Gover, Sir Hamar Greenwood, Bt., Sir D. M. Kerly, Mr. Stuart Bevan, Mr. E. Forbes Lankester, Sir E. Marshall Hall, Sir W. Francis K. Taylor, Mr. G. Hunter Gray, Mr. A. A. Hudson, Mr. W. Greaves Lord, Sir Frederick Pollock, Sir Lynden Macassey, Mr. T. J. C. Tomlin, Mr. Heber L. Hart, Mr. T. A. Herbert, Mr. T. W. H. Inskip, M.P., Mr. Charles C. Scott, Mr. Harold Morris, Mr. J. G. Hurst, Mr. Artemus Jones, Mr. Sylvain Mayer, Mr. John O'Connor, and Mr. Hy. A. de Colyer. Others present included Sir Dunbar Plunket Barton, Bt. (Treasurer of Gray's Inn), Sir Alfred Mond, M.P., Sir Henry F. Dickens, K.C. (Common Serjeant and Treasurer of the Inner Temple), Sir Francis H. D. Bell, K.C. (Attorney-General of New Zealand), Sir Chartres Biron, Sir Leonard W. Kershaw, Mr. A. M. Bremner, Sir Richard D. Muir, Mr. F. Whinney, Mr. G. W. Ricketts, Sir Archibald H. Bodkin, Mr. Travers Humphreys, Mr. W. Temple Franks, Mr. Edward C. P. Boyd, Mr. Howard Wright, Mr. N. L. Macaskie, Sir Hugh Fraser, Mr. Registrar Mellor, Mr. Herbert du Parcq, Mr. W. O. Willis, Professor H. D. Hazeldine and Mr. J. Arthur Barratt.

There were well-known absentees, notably Viscount Finlay (ex-Lord Chancellor) and Sir Harry Poland, now ninety-four years of age, both of whom sent kindly messages of congratulation to Mr. Taft. Happily Sir Edward Clarke, K.C., the doyen of the Bar, was able to fulfil his promise to attend. The guests numbered in all 257, and it was the regret of Mr. J. Leonard Crouch, who, with a committee, arranged the affair so successfully,

that a great many members of the Bar who wished to come could not be accommodated. In the gallery watching the proceedings were a number of ladies, including Mrs. Taft, Mrs. Harvey, Viscountess Birkenhead, Lady Pollock (wife of the Attorney-General), Lady (Frederick) Pollock and Lady Muir.

The Lord Chancellor in giving the health of Mr. Taft, said the occasion was exceptional. They had met to render honour to an illustrious American lawyer. There had never been an occasion when a similar company had assembled to do honour to an American lawyer. The compliment had been paid to very few, only four or five during the twenty-three or twenty-four years that he had been at the Bar, and on the Bench. The career of Mr. Taft was one of the most remarkable that had been lived by any lawyer in the world. At an early stage he was a Federal Judge and in his administration of legal duties in that capacity he brought to bear the qualities that we in this country had been accustomed to associate with our own Bench. Then there was an amazing change in Mr. Taft's career when he became President of the Great Republic, a position of incomparable influence and power. In that position Mr. Taft discharged his duties with ability and wisdom. Then he became Chief Justice of the United States, which by universal consent was one of the most exalted and responsible of judicial positions in the world. Until 1922 only seven judges had occupied that position. He reckoned that on precedent Mr. Taft should hold the position for about thirty-one years. On that prospect he heartily congratulated him, the United States and ourselves. On this occasion they met in complete harmony. It was a singular fact that prior to 1914 it was not possible to collect the representatives of any two legal systems of any two civilised countries and make that claim. Lawyers here could not talk the same language with the lawyers of other countries as they could with the lawyers of the United States. The reason was that they taught the same doctrine. They were the legatees of the same Common Law. On looking back thirty years and reading over the judgments of the Supreme Court of the United States, he was amazed to discover the same methods and the same processes of reasoning and the same standards of justice as our own. They wished Mr. Taft to go from this country not only in the spirit of one who knew that he was a great judge in a great country, not merely as a statesman, not as a lawyer, but as a friend who had grasped hands with other friends, and knowing that the best hope they all had here was that he would live long enough for them to welcome him again.

The Attorney-General (Sir Edward Pollock) in supporting the toast, said he was glad that their guest was added to the distinguished three, M. Berryer, Mr. Choate and M. Labori, who had previously received the same honour. The gathering was intended to improve the basic understanding between British and American lawyers, and their appreciation of each other. On behalf of the Bar of England he offered him a welcome.

Mr. Taft, who was received with cheers, all the guests standing up, said that he was almost overcome by his feelings as he received their welcome. He was conscious that he was its recipient in a representative capacity, but he could not express the warmth of that welcome and the great honour of which he had been made the subject without awakening the keenest personal gratitude. The Lord Chancellor had been good enough to recount a few of the offices he (Mr. Taft) had held, and had proved that when offices were going his "plate was up." From his earliest boyhood he had venerated the British Bench and the British Bar. His father was on the Bench, and he used him in his library at home to gather the citations of the English law reports. Therefore he became, even before he knew any principles of law, familar with British law reports and judgment. But never in the wildest imagination of an ambitious boy did he conceive of his standing where he did that night and receiving from the great English Bench and English Bar such a welcome as they had given him. Nowhere else in the world was a gathering like that possible. That was the shrine of British justice which had done so much in the civilisation of the world. He spoke of what he knew, for he was engaged for four years in helping to discharge the white man's burden in the far Orient, and he knew how much Great Britain had contributed to the civilisation of the world in the uplifting of backward peoples of the world. They had taught to those backward peoples that under the ægis of their Empire there was such a thing as justice between man and man which was blind and knew no favour. That was the reason why they had succeeded so marvellously in being the greatest Colonial Empire of the modern world. America had inherited that ideal and was confident that it could be realised. They had inherited the English common law and its spirit, which was that every Englishman and every American who was adult and in his right mind must stand on his own feet and look out for himself. What was it that characterised British and American guarantees of liberty? What was it that characterised the right they had derived from Magna Charta, from the Petition of Right, from the Habeas Corpus Act, the Bill of Rights, and the Act of Settlement? Was it glowing eloquence and declaration in favour of individual liberty and freedom? Not a bit of it. It was the provision of machinery by which a man might defend himself before the courts of his country. Those declarations of rights were adjective law; they were not substantative law. They illustrated the practical character of Anglo-Saxon government, and explained how it was that in a thousand years they had hammered out individual liberty and free government, and why, under the same tutelage, and following the same course, Americans were joint heirs of it. America had a written Constitution. England had not, and it might be said that America had departed from the example which had been set them. But England had given America in her Colonial days written Charters under which Government was conducted, and the doctrine of *ultra vires* which was applied to those Charters by the Privy Council was the origin of the supremacy of the Supreme Court over the laws of Congress. But it was a jurisdiction which would only be exercised when a definite case came before the court, and it left a large gap in which the court was powerless to restrain improper legislation. He would tell them why he was here. They had 110 district courts in the United States, one, two, three, or four to a State, but no union of Equity, Common Law, and Admiralty, such as had taken place here, and that had so interfered with the despatch of cases that arrears were now piling up, and moreover the jurisdiction of the courts was being continually added to. Something had to be done if justice was to be brought about in those courts, for nothing made justice injustice more than delay.

Sir John Simon recently visited the United States and spoke on the increased expedition in the English Courts. He (Mr. Taft) was attracted by what he said and he examined him privately on the subject, and he found that in the English Courts a great work had been achieved that would aid them in the United States, by its suggestion, in bringing about a speedier justice. That was why he was here, and he had been fully justified in coming. He was greatly indebted to the Lord Chancellor, to the judges of the High Court, to Master Willes Chitty, and to other Masters who had given him an opportunity of seeing how they worked. What they had accomplished aroused his profound admiration, and its study would be fruitful and yield valuable suggestions. They had had their *Jarndyce* v. *Jarndyce*, but he greatly rejoiced at the reforms which had been effected in enabling the real issue in a case to be found and disposed of. Their abolition of the distinction between the courts, so that a case might be brought under a statement of claim in any court, was of particular interest. They had a great advantage in that the great law officers and other great lawyers were in the Legislature and could give personal attention to legal reform. In the United States lawyers were limited in that respect. But their Bar Association could suggest reforms, and he hoped to present to it suggestions with reference to the reform of procedure. The novelty was getting the parties together before they came to the real contest, and giving each man an opportunity of finding out what the other was going to say and do—knocking their heads together, so to speak—and so reducing the dispute to the lowest terms necessary to develop the issue before the court. If the United States could shorten their procedure they would add to their great debt to the English Bench and Bar of which they were never unconscious. He appreciated and was deeply grateful for what he might describe as their "ferocious hospitality." Lawyers were subject to great criticism. Criticism was also applied to the clerical profession when they masqueraded in this country as lawyers and received fees. They had had the same difficulty in New England. Between 1770 and 1775 there were 150 men who entered the Inns of Court on this side from the Colonies, and out of them came the galaxy of lawyers who gave America the Declaration of Independence and the Constitution and the whole government system. Therefore, it was well to be proud of their profession. When some Jack Cade said, "We will hang all the lawyers," they could say, "Well, if we are hung you will have to get more lawyers to fill our places." "Now, my friends," finally said Mr. Taft, "good-bye. I beg to assure you that this is my last appearance."

The American Ambassador proposed "The Chairman," and Viscount Birkenhead replied.

Gray's Inn.

Monday, 26th June, being the Grand Day of Trinity Term at Gray's Inn, the Treasurer (The Right Hon. Sir Plunket Barton, Bart., K.C.) and the Masters of the Bench entertained at Dinner the following guests:—The Ambassador of the United States of America; The Hon. W. H. Taft (Chief Justice of the United States of America); Viscount Haldane; Viscount Cave; Viscount Burnham; Viscount Long; Viscount Ullswater; The Master of the Rolls; Lord Justice Warrington; Mr. Justice Darling; Sir John Simon, K.C.V.O., K.C. The Benchers present, in addition to the Treasurer, included:—Judge Mulligan, K.C.; The Lord Chancellor; Mr. Justice Lush; Mr. T. Terrell, K.C.; Sir Henry Duke; Lord Justice Atkin; The Hon. James M. Beck; Judge Ivor Bowen, K.C.; with the Chaplain (The Rev. W. R. Matthews, D.D.) and the Under-Treasurer (Mr. D. W. Douthwaite).

The Berks, Bucks and Oxfordshire Incorporated Law Society.

The Annual General Meeting of this Society was held at the Red Lion Hotel, High Wycombe, at 2.45 p.m., on Wednesday, the 21st day of June. Present: Mr. J. C. Parker (President), Mr. F. J. Ratcliffe (Vice-President), and Messrs. C. J. D. Andrews, H. R. Blaker, Sydney Brain, A. J. Clarke, T. R. Hearn, B. L. Reynolds, W. J. Winter Taylor, R. S. Wood and H. C. Dryland (Secretary).

The Minutes of the Annual General Meeting held on the 15th day of June, 1921, having been approved and signed, the Treasurer's Statement of the Accounts of the Society (which showed a balance in hand of £156 9s. 6d. cash and £303 17s. 1d. India 3 per cent. stock) was next

approved. The Secretary mentioned that, although the cash balance at present in hand was considerably larger than the balance shown at the end of the previous financial year, the increase was accounted for by the fact that the whole of the conditions of sale held at the end of the previous financial year had now been converted into cash, while no credit had been taken in last year's accounts for the stock of conditions in hand when the accounts were closed.

The President, in submitting the Annual Report of the Committee, referred to that portion which dealt with Professional Etiquette, and stated that the Society did much to maintain the high standard of the profession and expressed the wish that the Society could exercise over its members the same authority which appeared to be exercised by the bodies controlling the Bar and the Medical Profession. The speaker urged members to do all in their power to promote friendly relations with their professional brethren, mentioning that in the Medical Profession it was the practice for members of that profession to attend one another free of charge. The President also pointed out that amongst auctioneers it was the universal practice to stand out for their full commission and he expressed the hope that solicitors would do the same in respect of their scale charges.

In reporting that the whole of the last issue of the Conditions of Sale had been sold and that the Committee had given instructions for a new issue to be printed exactly in the form of the previous issue, the President explained that the reason which had prompted the Committee in deciding not to revise the conditions was that when the Law of Property Act came into force a drastic revision of the conditions would be necessary and hence that it was felt that the present time was not opportune for any revision. The speaker mentioned that, while the sale of the conditions during the year which had just closed had been less than the record sale during the preceding year, it could hardly be expected that the extraordinary boom in conveyancing which had obtained during 1920-21 would continue, but that it was his view that, in consequence of the reduced cost of building, the private builder would soon commence operations in earnest, with the result that the development of estates would bring a considerable increase in conveyancing matters. He also drew attention to the increase, both in quantity and quality, of the work dealt with by the County Courts and referred to the tendency of the High Court to remit cases to the County Court where possible.

After discussion the report was adopted on the motion of Mr. H. R. Blaker, seconded by Mr. A. J. Clarke.

The Secretary proposed, in accordance with notice, that a donation of ten guineas be made out of the funds of the Society, in the name of Mr. J. C. Parker, the President of the Society, to the Solicitors' Benevolent Association. In moving the resolution, the Secretary mentioned the invaluable work which the Association was doing and expressed the view that it was really unnecessary for him to say anything in support of the resolution. Mr. R. S. Wood seconded, and the resolution was carried unanimously. Mr. S. Brain hoped that the Committee would consider the desirability of making a grant out of any available funds towards the support of the widow and daughter of a solicitor who had recently died and who had left his dependents in a position of great financial difficulty, and it was ultimately resolved to leave the matter in the hands of the Committee for consideration, with full power to act as they might think best.

The President moved that Mr. F. J. Ratcliffe, of Reading, Berks, the Vice-President of the Society, be elected President for the ensuing year. The resolution was seconded by Mr. S. Brain, who expressed his personal appreciation of the work done for the Society by Mr. Ratcliffe and the professional comradeship which he had always shown to members of the profession. The resolution, having been put to the meeting, was carried unanimously. In returning thanks, Mr. Ratcliffe expressed his appreciation of the honour which had been conferred upon him and assured the meeting that he would make every effort to discharge the duties of his office satisfactorily. Mr. Herbert Torry Baines, of Oxford, was elected Vice-President.

It was unanimously resolved that Mr. H. C. Dryland be re-elected Secretary, and that for this year the offices of Treasurer and Secretary be again combined. In moving the resolution, the President expressed the thanks of the Society to the Secretary for his work during the past year and his appreciation of the Secretary's efforts on behalf of the Society. In thanking the meeting for the confidence reposed in him, the Secretary expressed the view that the time had arrived when it was desirable, in the interest of the Society, that some younger man should take his place.

The following were appointed members of the Committee: Messrs. H. R. Blaker, W. Bliss, E. Cecil Durant, J. M. Eldridge, Henry Jordan, J. C. Parker, E. L. Reynolds, W. J. Winter Taylor, and B. E. Tyrwhitt, and in seconding the resolution for their appointment, the President referred to the heavy loss which both the profession and the Society had sustained by reason of the death of Mr. F. Quekett Louch, who had for many years been a member of the Committee and who had always been indefatigable in the interests of the Society.

A useful discussion took place with regard to the question of solicitors' remuneration, when the view was expressed by several speakers that it was the duty of all solicitors always to charge the full scale fee. The question of the legalisation of lump-sum bills of costs was also considered and discussed.

The meeting terminated with a vote of thanks to the President, proposed by Mr. Brain and seconded by Mr. Clarke, both of whom mentioned the indebtedness of the Society to the President for his indefatigable services.

The following are extracts from the Report of the Committee:—

Members.—The Committee regret to record the deaths of the undermentioned members of the Society: Mr. Ernest Reginald Flint, of Newbury; Mr. Francis Quekett Louch, of Newbury; Mr. James May, of Wokingham; and Mr. William Mercer, of Henley-on-Thames. Three of these gentlemen were very old members of the Society, Mr. Louch having joined in 1889, Mr. Mercer in 1891, and Mr. May in 1893. Mr. Louch, who was Town Clerk of Newbury, was a member of the Committee of the Society at the time of his death and for a considerable number of years previously; he held the office of President for the year 1917-18 and his death will be a serious loss to the Society in which he always took a keen interest. Mr. Mercer was amongst the oldest solicitors on the Roll, having been admitted in 1853, about five years before Mr. Daniel Clarke, of High Wycombe, who is now the senior member of the Society. The present membership of the Society is 149.

Conditions of Sale.—During the past year 3,087 copies of the Society's General Conditions of Sale have been disposed of. The purchases by members amounted to 2,968, those by non-members to 118 and one copy was presented to another Society. The sales during the preceding year amounted to 5,028, so that the sales during the year just closed show a decrease of 1,942 copies.

Scale Charges.—The Committee desire to take this opportunity of again urging upon members the importance of always making the full scale charge in conveyancing matters, except in quite exceptional cases. The Committee venture to suggest that it is no more difficult to agree to treat the scale as the minimum, than to agree upon some lower scale, as has been done in one or two districts. It is submitted that, taking one case with another, the scale was never more than sufficient, and at the present time, in consequence of the increase in the cost of living and general office expenses, it is impossible adequately to remunerate the office staff unless the scale is rigidly adhered to.

The Law Society.

(*Continued from page* 621).

Pensions Appeal Tribunals.—The Council were requested to urge that notice of the hearing of a pension appeal should be sent to the appellant's solicitor and not to the appellant direct. The Council addressed a communication to the Appeal Tribunal requesting that as a matter of courtesy it would give notice to solicitors of cases in which it was aware that solicitors had been instructed. The President of the Tribunal replied that if any solicitor already appearing were to write to the Tribunal, stating that he had been instructed to appear in any particular appeal, his letter would be carefully attended to, and all information as to the date of the hearing given to him.

Unemployment Insurance Act, 1920.—Reference was made in the last Annual Report to the question of whether, in view of the comparatively small amount of unemployment in the profession, it would be possible to establish a special scheme for Lawyers' Clerks, under s. 18 of the Act. A conference had taken place on the subject between representatives of the Bar Council, the Council of the Law Society, and the United Law Clerks' Society, and it had been agreed that the question would turn upon the cost of administering such a scheme, and how much of that cost would be contributed by the Government. The matter was still under consideration when the Unemployment Insurance Act of 1921 was passed, s. 5 of which suspended the power of the Minister to approve or make special schemes during the deficiency period. The inquiry was therefore abandoned in the meantime.

Law Clerks.—No official communication on this subject has been received recently. In May, 1921, the Council resolved, in response to representations made to them by a deputation from the Clerks' representatives of the London Joint Conciliation Board, that it was impracticable, with fairness to the employers or to the Clerks, to fix a minimum salary to be paid to the different grades of Clerks on the system advocated by the National Federation of Law Clerks, and, therefore, they were unable to recommend to the profession any scale of minimum salaries. Subsequently, the Federation requested the Council to submit to arbitration the question of the principle, so far as London was concerned, of classification and minima salaries. The Council replied that they were willing that the London Conciliation Board should proceed to consider individual cases on their merits, but they were not prepared to submit to arbitration the questions mentioned. The Solicitors' Managing Clerks' Association requested the Council to permit the use of a room in the Society's building two evenings a week, for the purpose of holding classes for the practical instruction of law clerks. In view of the Society's own requirements it was not possible to comply with the managing clerks' request, but the Council, in sympathy with the proposal to hold such classes, gave a donation of £50 to the funds of the Association for the purpose.

Proceedings under the Solicitors Acts.—The Council being of opinion that it is desirable that equal publicity should be given to the decisions of the Statutory Committee under the Solicitors Act, 1919, to suspend or strike solicitors off the Roll (other than at their own request) as was given to the decisions of the Court under the Solicitors Act, 1888, arrangements have been made that notice of any Orders to be made by the Committee shall be included in the Supreme Court Daily Cause List. By s. 7 (2) of the Solicitors Act, 1919, it is provided that the Findings and Orders of the Committee should be published in the *London Gazette*. This direction has been followed.

Unqualified Persons Preparing Deeds.—Members are probably aware that it is a provision in the Stamp Act (54 & 55 Vict., ch. 39, s. 44) which reserves to the legal profession the right to draw or prepare deeds for profit, and prescribes a penalty for disobedience to the provisions of the section. The effect has been that all complaints in the past as to drawing deeds by unqualified persons, which have been made to the Society, have had to be forwarded to the Commissioners of Inland Revenue to be dealt with. Only on the rarest occasion, if ever, has a prosecution under the section resulted. The Commissioners may have reprimanded, or fined, the offender, but no publicity has ensued, and therefore no real benefit to the public. In the early part of 1921 the Council in these circumstances suggested to the Lord Chancellor that it would be desirable, and of public advantage, if the power of prosecuting under s. 44 of the Stamp Act could be extended to the Law Society. The Lord Chancellor consulted with the Commissioners of Inland Revenue, and ultimately intimated to the Council that if they would take steps to move a clause for insertion in the Finance Bill, 1921, the Government would accept it. Sir William Bull, M.P., very kindly, therefore, moved the required clause, which was accepted by the Government, and is now s. 60, s-s. (1) and (2) of the Finance Act, 1921. Already three prosecutions under the section have been successfully instituted and fines inflicted. Much public injury has been done in the past by the preparation of documents by those entirely unqualified to prepare them, and the Council are glad to have been able to secure this much-needed reform, and are grateful to the Lord Chancellor for his assistance.

The Times' correspondent at Berlin, in a message of 3rd July, says:—Judgment in the Leipzig war criminal case was given to-day. Dr. Michelson, the German specialist, who was charged with having done wilful bodily harm to civilians and military prisoners in war hospitals in 1917 and 1918, was acquitted.

The League of Nations Union.

The Duke of Devonshire and Lord Robert Cecil were the principal speakers at a garden fête at Chatsworth on Saturday, the 1st inst., organised by the League of Nations Union.

The Duke of Devonshire, who presided, said that when the Armistice was signed the British Empire was probably the greatest factor ever known in history for conducting war. To-day they trusted that it would be the greatest factor in the preservation of peace. Pointing to the long, unguarded frontier of Canada, he said what had been accomplished in the North American continent could, with good will, be equally well accomplished in Europe.

Lord Robert Cecil said that the world needed peace as it had never needed peace before. To get rid of war we must cure its causes. We must cure suspicion by candour. "My prescription for peace," he continued, "is the round table for the nations, bringing them together, and plenty of publicity spreading the disputes before the world so that the world may judge and bring that inestimable force of public opinion upon the combatants. That is the League of Nations." Before nations resorted to war every other means of settling the dispute should be tried. The League was not a mere theory. It had stopped three wars, created an international Court of Justice, and last, but not least, it had laid down for the economic restoration of Europe principles which the Conference of Genoa could not improve upon.

A Microscopic Will.

A curious will, says *The Times*, has just been admitted to probate and is filed in Somerset House. It is in the form of a Royal Navy identification disc, about the size of a half-crown, and bearing on one side, in the usual deeply punched letters, the name, number, rating, and religion of the man to whom it was issued. On the other side it appears at first to be just a piece of polished brass, but in a certain angle of light there can be clearly seen some neatly engraved words which become quite clear under a microscope. This "document" is the will of William Henry Thorn Skinner, of H.M.S. "Indefatigable," plumber, R.N., who was lost with that ship in the battle of Jutland, on 31st May, 1916. The disc was recovered from the sea, and on being cleaned the words of the will were revealed. In the words of the grant the testator (being a sailor on active service) is officially stated to have "made and duly executed his last will and testament." This will reads as follows: "Feb. 1, 1916. Everything I possess and all money, property due to be by Wills, Wages, Bank or any other sources, I bequeath to my darling Wife, Alice Maud Skinner, signed, This day 1st Feby., 1916, H.M.S. Indefatigable, Wm. H. T. Skinner. Witnessed by W. H. Taylor, H. J. Way." An affidavit is filed by Police Sergeant Arthur Henry Skinner, of Aquinas-street, Lambeth, S.E., declaring that the handwriting is that of the dead man. He named no executor, and as his widow, who has since re-married, is now resident in Australia, letters of administration have been granted to Police Sergeant Arthur Henry Perry Skinner, for her benefit. The total value of the property passing under the will is £258.

Law Students' Journal.

Calls to the Bar.

The following gentlemen were called to the Bar on Wednesday:—

LINCOLN'S INN.—A. H. Self (Certificate of Honour, C.L.E., Trinity, 1922) of London Univ.; M. T. Maxwell, M.C., of Trinity Coll., Camb., M.A.; T. Cunliffe, late Lieut., R.F.A., of Balliol Coll., Oxford; L. H. Gluckstein, of Lincoln Coll., Oxford; H. W. Parry, B.A., Oxon; C. H. E. Legge; E. J. Davies, B.A., Univ. Coll., Aberystwyth; W. M. Davies, B.A., Univ. Coll., Aberystwyth; I. G. Jones, B.A., Univ. Coll., Aberystwyth.

MIDDLE TEMPLE.—A. Green, LL.B. (Lond.), M.C., Certificate of Honour; H. Tom; P. L. Teed; G. A. J. Smith; J. L. McFall, B.A. (Ireland); D. Johns, M.Sc. (Wales); C. H. S. Fifoot, B.A. (Oxon); J. P. R. Le Cudennec; A. Kayode, B.A., LL.B. (Cantab); H. M. De Comarmond; W. A. Chase, LL.B. (Lake Forest), LL.M. (Chicago Kent College of Law); L. A. X. Robinson De Sa; A. C. Alcock; L. Pheasey, B.Sc. (Lond.); F. J. S. Havock; G. N. Chryssafinis; W. E. Fernando; A. G. Michaelides; C. Cook; J. W. Gomes, B.A. (Bombay); C. A. W. Manaing, B.A. (Oxon); C. A. Galatopoulos; W. L. Bailey; A. Khan; D. Fyfe, M.D. (Durham), F.R.C.S., F.R.F.P.S.G., D.P.H.; W. H. W. Carson, B.A. (Dublin), Barrister-at-Law, Ireland; H. R. G. Brooks; W. J. H. Le Fanu, B.A. (Dublin), Barrister-at-Law, Ireland; G. E. F. Richards, B.A., LL.B. (Cantab).

INNER TEMPLE.—I. H. Parry (holder of a certificate of honour, awarded Trinity term, 1922), B.A., LL.B., Cambridge; G. L. R. Bodington, B.ès L., Paris; A. K. N. Crabbe, B.A., Oxford; B. A. Gaekwar, B.A., LL.B., Cambridge; S. S. G. Leeson, M.A., Oxford; C. H. A. Lakin, M.A., Oxford; H. G. Hanbury, B.A., Oxford; C. Goodman, M.A., Cambridge; H. C. Juta, B.A., Oxford; R. O. L. Armstrong-Jones, B.A., Oxford; E. F. van der Riet, B.A., Oxford; S. A. Rissik, B.A., Oxford; M. C. Chagla, Oxford;

J. Gaggere; H. H. C. Graham, B.A., Cambridge; H. S. Knight, B.A., Oxford; C. C. Carus-Wilson, B.A., Cambridge; Y. M. Ruston, B.A., Cambridge; H. F. Sherborne, B.A., Oxford; H. L. Boyce, B.A., Oxford; P. R. J. Barry, B.A., Oxford; C. H. Markham; T. V. Le Breton, B.Sc., London; J. M. Rivington, B.A., Oxford; C. H. A. Bennett, B.A., LL.B., Cambridge; S. A. Zaheer, Oxford; V. Y. Chiu, Ph.D., London; E. Bennet, B.A., LL.D., Dublin; R. F. Lyne.

GRAY'S INN.—E. W. Battenberg; T. R. D. Davies, B.Sc., Univ. of Wales; W. Burton, Junior, B.A., Christ's Coll., Camb.; J. W. Williamson, B.Sc., Univ. of London.; J. Lesser; J. B. Fetherston; D. P. M. Fyfe, B.A., Balliol Coll., Oxford; P. Nickson, B.A., Corpus Christi Coll., Oxford, Bacon Scholar, Gray's Inn, 1921; W. J. Browne, B.A., Merton Coll., Oxford, B.Sc., Univ. of Toronto; G. T. Lees, B.A., LL.B., St. John's Coll. Camb.; W. J. Byrne, a member of the Bar in Ireland; R. R. Milne; G. G. Beagley; E. A. F. Fenwick, B.A., LL.B., Jesus Coll., Camb.; G. N; Houry; W. F. Jenkins; W. E. Watson, F.R.I.B.A.; W. Meirion-Williams, Post Graduate, Balliol Coll., Oxford, B.Sc., Victoria Univ., Manchester; J. C. J. Dalton; J. E. Badeley, B.A., and sometime Scholar, King's Coll., Camb.; J. T. T. Rees, M.P.; W. A. Prichard, M.C., B.A., Trinity Coll. Camb.; N. E. Mustoe, B.A., LL.B., Trinity Coll., Dublin; J. F. Bourke, a member of the Bar in Ireland; C. R. Fforde, one of his Majesty's Counsel in Ireland.

The above does not include the names of barristers who presumably will not practice in England.

Companies.

London Joint City and Midland Bank, Limited.

The Directors of the London Joint City and Midland Bank Limited announce an interim dividend for the half-year ended June 30th last at the rate of 18 per cent. per annum less income tax, payable on July 15th. The dividend for the corresponding period of 1921 was at the same rate.

Obituary.

Mr. Theodore Lumley.

Mr. Theodore Lumley, J.P., died on Sunday, the 2nd inst., at his house in Upper Grosvenor-street, W. He was a member of the well-known firm of solicitors, Messrs. Lumley & Lumley, who have offices in Paris as well as in London. Educated in Paris, he was a Law Society's prizeman, and was admitted a solicitor in 1869. At one time he was commissioner for the Strichen and Auchmedden estates, in Aberdeenshire. In London he was solicitor to the late Lord Randolph Churchill and to Mr. Winston Churchill; also to the Portuguese Government, and the Persian Legation, and honorary solicitor to the Royal General Theatrical Fund and St. Peter's Hospital. He was also Consul-General for Monaco in London, and a member of the Court of the Turners' Company. He acted in the Langworthy case and in many other *causes célèbres*.

Legal News.

Appointments.

Two County Court Judges, Judge Graham, K.C., Judge of Bow County Court, and Judge Stanger, K.C., Judge of the County Courts on the Bristol Circuit, have retired, and in consequence the Lord Chancellor, has made the following appointments:—Judge PARSONS, to Circuit 54 (Bristol); Judge SNAGGE, to Circuit 40 (Bow); Mr. WHITMORE L. RICHARDS to be Judge of the County Courts on Circuit 7 (Chester); and Mr. H. S. STAVELEY-HILL to be Judge of the County Courts on Circuit 23 (Coventry, Northampton, &c.). Mr. Richards was called to the Bar at Lincoln's Inn in 1895, and is a member of the Midland Circuit, and Mr. Staveley-Hill, who is a member of the Oxford Circuit and Recorder of Banbury, was called in 1891. He was Conservative M.P. for the Kingswinford Division of Staffordshire from 1905 to 1918.

Dissolutions.

EDMUND GERALD BURTON and HAROLD SAXON SNELL, Solicitors (Burton & Snell), Daventry, in the County of Northampton. 29th September, 1921. The said Harold Saxon Snell will continue the said business under the style or firm of Burton & Snell.

MONIER FAITHFULL MONIER-WILLIAMS, WILLIAM CHARLES BEASLEY-ROBINSON and EDWARD ANDREW WALLACE MILROY, Solicitors (Monier-Williams, Robinson & Milroy), 6 and 7, Great Tower-st., London, E.C.3. 30th June, 1922, so far as regards the said William Charles Beasley-Robinson. [*Gazette*, 4th July.

JAMES PORTER, JAMES AMPHLETT, IVAN AMPHLETT EDWARDES EVANS, Solicitors (Porter Amphlett & Co)., Conway, Carnarvon, and Colwyn Bay, The said James Porter will continue to practise at Conway in partnership with James Douglas Porter and Robert Glynne Jones under the style or firm of "Porter & Co." and the said James Amphlett and Ivan Amphlett Edwardes Evans will continue to practise at Colwyn Bay under the style or firm of "Amphlett & Co." [*Gazette*, 30th June.

General.

Sir Herbert Nield, K.C., M.P., has been unanimously elected, for the fifteenth time, Deputy Chairman of Middlesex Sessions.

Mr. W. Crusha, Tottenham, writing to *The Times* of 30th June, says:—A great evil attending the law of property to-day is apparently left untouched by Lord Birkenhead's Bill—the injustice so often inflicted on a leaseholder at the termination of a lease. He is called upon to put the building in a state of repair—not in the state that he received it, but in a condition of perfection, which entails on him very heavy cost—often to see the building immediately afterwards pulled down. In some cases, when it is known the premises are to be demolished, he is allowed by a freeholder to compound his liability by a heavy monetary payment—a form of legal blackmail. In my opinion the law ought to provide that at the end of a lease the leaseholder should be enabled either to pull down the premises and sell the materials, or the freeholder should have to buy them at old materials price.

Court Papers.

ROTA OF REGISTRARS IN ATTENDANCE ON

Date.	Emergency Rota.	Appeal Court No. 1.	Mr. Justice Eve.	Mr. Justice Romer.
Monday July 10	Mr. Bloxam	Mr. Synge	Mr. Bloxam	Mr. Hicks Beach
Tuesday 11	Hicks Beach	Garrett	Hicks Beach	Bloxam
Wednesday ... 12	Jolly	Bloxam	Bloxam	Hicks Beach
Thursday 13	More	Hicks Beach	Hicks Beach	Bloxam
Friday 14	Synge	Jolly	Bloxam	Hicks Beach
Saturday 15	Garrett	More	Hicks Beach	Bloxam

Date.	Mr. Justice Sargant.	Mr. Justice Russell.	Mr. Justice Astbury.	Mr. Justice P. O. Lawrance.
Monday July 10	Mr. More	Mr. Jolly	Mr. Garrett	Mr. Synge
Tuesday 11	Jolly	More	Synge	Garrett
Wednesday ... 12	More	Jolly	Garrett	Synge
Thursday 13	Jolly	More	Synge	Garrett
Friday 14	More	Jolly	Garrett	Synge
Saturday 15	Jolly	More	Synge	Garrett

Miss Helena Normanton, writing to *The Times* (4th inst.) says: Peeresses in the Middle Ages sent their proxies to the House of Lords, as also did aged and infirm peers. This right to proxy was abolished in 1868. Male peers since that date have attended, if at all, in person. What became of the ancient Common Law position of the peeress in her own right? Can it really be supposed that a mere change in a method of attendance was intended to banish into limbo the great and inherent rights of these peerages, liable from their terms of entail to descend occasionally to women?

The Anglo-German Mixed Arbitral Tribunal, sitting at 21, St. James's-square, on Monday, gave its decision on a claim for £2,959 brought by Mr. Oscar Basse, a British subject, against the German Government in respect of the detention of furniture and effects from August, 1914 to May, 1920. The respondents pointed out that the claimant had left Germany for Switzerland and had not had the furniture forwarded to him. The Tribunal decided that as the claimant elected that his property should remain in Germany, damage was not attributable to any exceptional war measure taken by the German Government, and his claim was accordingly dismissed; costs amounting to £25 to be paid by the claimant to the respondents.

At Marlborough-street Police Court on 30th June, says *The Times*, Messrs. Lawrence Waller and Co., Limited, house agents, Oxford-street, W., were prosecuted at the instance of The Law Society for drawing up, in expectation of a fee, an indenture of assignment of a lease, under seal, contrary to statute. Mr. R. H. Humphreys, for the Society, said that, on behalf of the defendants, an account was presented to one of their clients for the drawing-up of the indenture, stating that the client's share of the assignment was £1 1s., which, said the solicitor, implied that another client would pay the other guinea, whereas the precise cost of the stationery in respect of this document was 2s. Mr. Mead, in inflicting a fine of £50, with £5 5s. costs, said that the public must be protected from inexpert practitioners. It was an encroachment upon the preserves of solicitors.

Winding-up Notices.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

CREDITORS MUST SEND IN THEIR CLAIMS TO THE LIQUIDATOR AS NAMED ON OR BEFORE THE DATE MENTIONED.

London Gazette.—FRIDAY, June 30.

HUGO STINNES LTD. July 15. Sir William B. Peat, 11, Ironmonger-lane, E.C.

BRITISH METAL SPRAY CO. LTD. Aug. 19. Henry C. Chambers, 6, Bennett's-hill, Birmingham.

J. H. BROWN LTD. Aug. 9. C. Latham, 15, Eastcheap, E.C.

J. R. WEST LTD. July 10. A. P. Barber, 125, High Holborn, W.C.

THE BRITISH & FOREIGN COMMERCIAL CO. LTD. Aug. 28. A. E. Cartwright, 69, Bishopsgate, E.C.

CORDEN MILLS (RAMSBOTTOM) LTD. July 28. William W. Brierley, 24, Clegg-st., Oldham.

THE HAMPTON ENGINEERING CO. LTD. Aug. 1. Charles T. Appleby, 26, Corporation-st., Birmingham.

ALISON BROADHURST MACHINE CO. LTD. July 31. Harry N. Phillips, 119, Moorgate, E.C.2.

London Gazette.—TUESDAY, July 4.

HAYES (UNIVERSAL) PRINTING MACHINERY LTD. Aug. 19. Sir Thos. Smethurst, 26, Pall Mall, Manchester.

THE MOUNT ZEEHAN (TASMANIA) SILVER LEAD MINES LTD. Aug. 2. Arthur David Foggo, 5, Bucklersbury.

SUN FUEL COMPANY LTD. July 24. Alfred Page, 28, King-st., E.C.2.

J. VAN HEMELRYCK (LONDON) LTD. Aug. 5. F. G. van de Linde, 4, Fenchurch-av., E.C.3.

ALF CRABTREE LTD. July 20. John Henry Eastwood, Crown Buildings, Scott-st., Keighley.

CUNDALL BROS. LTD. July 31. Norman D. Vine, Pearl-chmbs., Leeds.

Resolutions for Winding-up Voluntarily.

London Gazette.—FRIDAY, June 30.

Lofthouse Engineering Co. Ltd.
Birmingham Starch & Manufacturing Co. Ltd.
British Metal Spray Co. Ltd.
The Oxford Cinematograph Theatre Co. Ltd.
Bristol Advertising Co Ltd.
Fashion Publishing Co. Ltd.
The Sun Fuel Co. Ltd.
General Bus Co. Ltd.
The Hippodrome (Merthyr Tydfil) Ltd.
Cinemachines (1921) Ltd.
The Conway Valley Nursery Co. Ltd.
Richard M. Lord Ltd.
Empire (Alloy) Steel Corporation Ltd.
Liverpool Sugar and Produce Clearing House Ltd.
Matthew Wood & Son Ltd.
The Amalgamated Press Ltd.
Carboll Syndicate Ltd.
Roberts Brothers & Holloway Ltd.
Hampshire House Workshops Ltd.
Thomas Wooberry Ltd.
City General Trust Ltd.
The Calne Gas and Coke Co. Ltd.
J. T. Hands & Co. Ltd.
Mann, MacNeal & Steeves Ltd.
C. Sandler and Co. Ltd.
James Fairley & Sons Ltd.

London Gazette.—TUESDAY, July 4.

England and Turnbull Ltd.
Domestic Workers Bureau Ltd.
Ellis's of Lyttondale Ltd.
Near East Traffic Co. Ltd.
South Africa Nectar Tea Co. Ltd.
The Grimsby Electric Vehicle Co. Ltd.
Bassant Bros. Ltd.
Bannister and Thomas Ltd.
Ainsworth & Sons, Jewellers, Ltd.
The British and Foreign Commercial Co. Ltd
Geo. C. Brightling & Co. Ltd.
The London Brass Co. Ltd.
Pinhel Wolfrom Mines Ltd.
G. W. Ruston & Co. Ltd.
Universe Insurance Co. Ltd.
The National Sugar Beet Association Ltd.
John Long Ltd.
T. & H. Blamires Ltd.
Rowson, Hodgson & Co. Ltd.
Ash's East Kent Brewery Co. Ltd.
Antichan Ltd.
Veterans' Clubs Ltd.
Kennington Garage Ltd.
Gerard Properties Ltd.
The Positive Organ Co. Ltd.
The Mount Zeehan (Tasmania) Silver Lead Mines Ltd.
David Sandeman & Jackson Ltd.
Re-Union 1914 Star Men (Newcastle and District) Ltd.

Bankruptcy Notices.

London Gazette, FRIDAY, June 30.

RECEIVING ORDERS.

ANAVI, ISAAC A., Manchester, Merchant. Manchester. Pet. June 14. Ord. June 28.

ARCHER, FRANCIS B., Clarence Gate-gardens, N.W. High Court. Pet. June 28. Ord. June 28.

AST, ISAAC, Battersea, Ladies' Tailor. Wandsworth. Pet. June 26. Ord. June 26.

BARNES, ALBERT O., Godalming, Draper and Hosier. Guildford. Pet. June 1. Ord. June 27.

BARNETT & WILSON, Manchester, Clothing Manufacturers. Manchester. Pet. June 2. Ord. June 28.

BAUCKHAM, ROBERT, Great Grimsby, Ship and Boat Builder. Great Grimsby. Pet. June 28. Ord. June 28.

BLAYNEY, ARTHUR R., Nottingham, Grocer and Beer-off Shop-keeper. Nottingham. Pet. June 27. Ord. June 27.

BLOOHN, ISRAEL, Leonard-st., E., Furnisher. High Court. Pet. May 23. Ord. June 23.

BRIMELOW, HENRY, Manchester, Assistant Secretary. Manchester. Pet. April 21. Ord. June 28.

BROTHWELL, BENNETT, Holbeach, Blacksmith. King's Lynn. Pet. June 28. Ord. June 28.

COHEN, SIMON, Manchester, Hat and Cap Manufacturer. Manchester. Pet. May 23. Ord. June 28.

CLAMP, WILLIAM, South Elmsall, Yorks, Confectioner. Wakefield. Pet. June 27. Ord. June 27.

CLARK, TROWARD, Worth, Kent, Engineer. Canterbury. Pet. June 27. Ord. June 27.

EDWARD, S., Brixton, S.W., Merchant. High Court. Pet. May 23. Ord. June 23.

GORDON, ARTHUR J., Brighton, Company Promoter. High Court. Pet. March 3. Ord. June 28.

HENRY, HENRY, Wardour-st. High Court. Pet. May 25. Ord. June 28.

HENRY, JULIEN, Shepherd's Bush-green, Vocalist. High Court. Pet. May 27. Ord. June 28.

HIRONS, THOMAS, Brandon, nr. Coventry, Builder. Coventry. Pet. June 28. Ord. June 28.

HOLLINGWORTH, ROBERT, Sheffield, Carting Contractor. Sheffield. Pet. June 28. Ord. June 28.

ISRAEL, JOHN, and ISRAEL, MICHAEL, South-row, Covent Garden, Fruit Salesmen. High Court. Pet. May 31. Ord. June 28.

JARROLD, JOHN, Miskin, Mountain Ash, Grocer. Aberdare. Pet. June 26. Ord. June 26.

JENKINS, GEORGE E., Nantyffyllon, Grocer. Cardiff. Pet. June 26. Ord. June 26.

JONES, HUGH, Wrexham, Joiner. Wrexham. Pet. June 8. Ord. June 27.

JONES, MORGAN, Caerphilly, Glam., Labourer. Pontypridd. Pet. June 27. Ord. June 27.

LATHAM, FRED, Leicester, Grocer. Leicester. Pet. June 27. Ord. June 27.

LOVELL, CECIL G., Hammersmith, Submarine Cable Operator. Bradford. Pet. June 26. Ord. June 26.

LOWE, EDWARD W., Twickenham, Commercial Agent. High Court. Pet. June 2. Ord. June 28.

MARSH, WILLIAM H., Porth, Glam., Collier. Pontypridd. Pet. June 28. Ord. June 28.

MASON, JANE, Swansea, lately Fried Fish and Chip Vendor. Swansea. Pet. June 28. Ord. June 28.

MILES, ELIZABETH, Dowlais, Innkeeper. Merthyr Tydfil. Pet. June 24. Ord. June 24.

NEWTON, WILLIAM, Alcester-rd., nr. Birmingham, Painter and Grocer. Birmingham. Pet. June 26. Ord. June 26.

NIXON, DENNIS S., Northam, Devon. High Court. Pet. May 25. Ord. June 28.

NORRIS, HUBERT H., Tavistock-pl., Leather Merchant. High Court. Pet. June 27. Ord. June 27.

PAYNE, FREDERICK C. S., South Shields, Tobacconist, Newsagent and Confectioner. Newcastle-upon-Tyne. Pet. June 27. Ord. June 27.

POLACK, E., Charing-cross, Director of Public Companies. High Court. Pet. Nov. 7. Ord. April 6.

PREECE, SOLOMON, Ruardean, Gloucester, Butcher. Hereford. Pet. June 27. Ord. June 27.

STABLER, CHARLES, Tadcaster, Publican. Harrogate. Pet. June 26. Ord. June 26.

THOMAS, ALFRED H., King's Lynn, Milliner and Fancy Draper. King's Lynn. Pet. June 26. Ord. June 26.

WEBSTER, WILLIE, Leeds, Wholesale Confectioner. Leeds. Pet. June 26. Ord. June 26.

WHITWORTH, SAMUEL, Emberton, Bucks, Farmer. Northampton. Pet. June 24. Ord. June 24.

WILLIAMS, DAVID T., Hereford, Dairyman. Hereford. Pet. June 27. Ord. June 27.

WILSON, GEORGE E., Kingston-upon-Hull, Dentist. Kingston-upon-Hull. Pet. June 28. Ord. June 28.

WRIGHT, CHARLES H., Darlington, Confectioner. Stockton-on-Tees. Pet. June 26. Ord. June 26.

WOOD, ALFRED F. S., Patricroft, Lancs, General Dealer and Decorator. Salford. Pet. June 28. Ord. June 28.

London Gazette.—TUESDAY, July 4.

AFFORD, ALICK, Middlesbrough, General Dealer. Middlesbrough. Pet. June 30. Ord. June 30.

ALEXANDER, EDWARD J., Weston-super-Mare, Jeweller, and Fancy Goods Dealer. Bridgwater. Pet. June 29. Ord. June 29.

BUTTERWORTH, FRANK and HAMAUL, ERIC E., Manchester, Insurance Brokers. Manchester. Pet. July 1. Ord. July 1.

COHEN, MARCUS, Whitechapel, General Silk and Textile Merchant. High Court. Pet. June 30. Ord. July 1.

CURTIS, THOMAS, the Younger, Wisbech, Cattle Dealer. King's Lynn. Pet. July 1. Ord. July 1.

EDWARDS, ARTHUR and BRANT, WILLIAM, Leyton, Decorative Merchants. High Court. Pet. June 30. Ord. June 30.

FERRY, MARGARET, Hartlepool, Licensed Victualler. Sunderland. Pet. June 29. Ord. June 29.

FURNELL, WILLIAM, Penygraig, Glam., Fishmonger and Fruiterer. Pontypridd. Pet. June 30. Ord. June 30.

GILES, WILLIAM J., Wallasey, Retired Surveyor. Birkenhead. Pet. April 24. Ord. June 30.

GRUBAN, JOHN G. W., Great Eastern st., Engineer. High Court. Pet. Dec. 13. Ord. June 28.

HABBERFIELD-SHORT & CO., Bishopsgate, Merchants. High Court. Pet. June 12. Ord. June 28.

HODGSON, JOHN W., and HODGSON, NORMAN, Middlesbrough, Electricians. Middlesbrough. Pet. June 29. Ord. June 29.

HORSFALL, JOHN R., Elland, Yorks., Teamster. Halifax. Pet. June 29. Ord. June 29.

JACOBS, THOMAS Y., Lanivet, Cornwall, Farmer. Truro. Pet. June 29. Ord. June 29.

JONES, ROWLAND H., Leominster, House Furnisher. Leominster. Pet. June 29. Ord. June 29.

LAWRENCE, THOMAS H., Bath, Saddler. Bath. Pet. June 29. Ord. June 29.

LEE, E. B. T., Abbey rd., St. John's Wood. High Court. Pet. May 30. Ord. June 28.

LEWIS-EMANUEL (a Firm), being WOOLF, LEWIS and WOOLF, EMANUEL, Partners, House Furnishers. High Court. Pet. May 19. Ord. June 28.

LIST, MYER and ECKERS, CHARLES A., Great Eastern-st., Boot and Shoe Factors. High Court. Pet. June 29. Ord. June 29.

LONSDALE, EDWARD, Cudworth, nr. Barnsley, General Dealer. Barnsley. Pet. June 29. Ord. June 29.

LUNDY, DENNIS, Middleton, Grocer. Oldham. Pet. June 30. Ord. June 30.

LUSTGARTEN, N. N.' Southport, Manufacturer and General Merchant. Liverpool. Pet. June 13. Ord. June 29.

MARCH, FRED, Belgrave-rd., S.W. High Court. Pet. Feb. 14. Ord. June 28.

MORSE, CHARLES, Wroughton, Wilts, Farmer. Swindon. Pet. June 28. Ord. June 28.

NORMAN HARRY, Wolverton, Bucks, Butcher. Northampton. Pet. June 29. Ord. June 29.

PARKER, H., Charing Cross-rd., Surveyor and Land Agent. High Court. Pet. Mar. 3. Ord. June 29.

PERKS, CALEB, Richard's Castle, Hereford, Timber Faller and Smallholder, Leominster. Pet. June 29. Ord. June 29.

PUTTNAM, WILLIAM, Stratford, Retail Grocer. High Court. Pet. June 2. Ord. June 29.

REES, OWEN, Pantyffynnon, Licensed Victualler. Carmarthen. Pet. June 30. Ord. June 30.

ROBBINS, GEORGE, Sutton Coldfield, Clerk. Birmingham. Pet. June 29. Ord. June 29.

SANDERS, REGINALD, W., Luton, Straw Hat Manufacturer. Luton. Pet. June 30. Ord. June 30.

SHINMAN, ALEX, Ladbroke-rd., Notting-hill. High Court. Pet. May 26. Ord. June 29.

SIMPSON, JOHN W., Adwalton, near Bradford, Miners' Agent. Bradford. Pet. May 30. Ord. June 29.

SOLOMON, DORA Wallasey, Chester, Fitter and Draper. Birkenhead. Pet. June 29. Ord. June 29.

THORP, CHARLES, Pimlico, Housekeeper. High Court. Pet. June 29. Ord. June 29.

WADSWORTH, CHARLES B., West Vale, nr. Halifax, Wholesale Confectioner. Halifax. Pet. June 29. Ord. June 29.

WALKER, Sir ALEXANDER, Sydney-st. High Court. Pet. June 1. Ord. June 29.

WILLINGTON, HERBERT F., Lower Clapton-rd., E. High Court. Pet. May 31. Ord. June 29.

WRIGHT, JOSEPH T., Sowerby Bridge, Pork Butcher. Halifax. Pet. June 29. Ord. June 29.

WYLES, W. E., Mansfield Woodhouse, Notts, Grocer. Nottingham. Pet. June 12. Ord. June 29.

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